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For Ethics, Integrity, & Aptitude

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Preface

It is with immense pleasure that we bring out the second edition of this book. In view of the tremendous response that the first edition received, it is only natural that we have come up with the second edition.

For the still uninitiated, this book helps civil services aspirants prepare for General Studies - Paper IV. This paper was first introduced in Civil Services Main examination in the year 2013. Introduction of this paper took the whole context of UPSC Main Examination to a new level. With the introduction of this paper, a civil services aspirant is examined for having the right attitude — and not mere right aptitude. Attitude is what makes one's character and aptitude is part of one's personality.

Taking into consideration the pattern of questions in the 2013 Main GS Paper IV, we have made several changes in this edition of this book. These have been made with the primary aim of making the concepts understandable for the student, so that a student can incorporate them while answering the Paper IV questions. In this edition, we have added sample case studies at the end of each topic to bring in more clarity to the terms and terminologies discussed in that Unit.

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Besides, we have increased the number of case studies provided at Unit 8 of the book. Another value addition that we have made is in the form of complete solution to the General Studies - Paper IV conducted in the year 2013. This would help students get a grasp over what is expected of them in the examination.

It is our ardent belief that students will find this edition of the book as useful as the previous edition. As always, comments and suggestion from students and teachers are most welcome. These act as sounding board for our books. We are very grateful to the students and teachers who had taken the time to share their comments and suggestions about the first edition of this book. We expect the same response for this edition of the book. And last but not the least, we wish all the students the very best for their examination. Nothing fuels our enthusiasm better than the success achieved by our students.

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Syllabus as mentioned or the UPSC website for GS Paper IV

Ethics, Integrity, and Aptitude

This paper wifi include questions to test the Candidates' altitude and approach to issues relating to integrity, probity in public life and his problem solving approach to various issues and conflict faced by him in dealing with society. Questions may utilize the case study approach to determine these aspects. The following broad areas will be covered:

- Ethics and Human Interface: Essence, determinants and consequences of Ethics in human actions; dimensions of elhrcs; ethics in private and public relationships. Human Values – lessons from the lives and leaching* of great leaders, reformers and administrators; role of family, society and educalionul institutions in inculcating values.
- Attitude: content, structure, function; its influence and relation with thought and behavior; moral and political attitudes; social influence and persuasion.
- Aptitude and foundational values for Civil Service, integnty, impartiality and non-partisanship, objectivity, dedication to public service, empathy, tolerance and compassion towards the weaker-sections.
- Emotional intelligence-concepts, and their utilities and application in administralion and governance.
- Contributions of moral thiners and philosophers from India and world.
- Pubbc/Civil service values and Ethics in Public Administration: Status and problems; ethical concerns and dilemmas in government and private institutions; laws, rules, regulations and conscience as sources of ethical guidance; accountability and ethical governance; strengthening of ethical and moral values in governance; ethical issues in international relations and funding; corporate governance.
- Probity in Governance: Concept of public service; Philosophical basis of governance and probity; Information sharing and transparency in government, Right to Information, Codes of Ethics, Codes of Conduct, Citizen's Charters, Work culture, QuaEity of service delivery. Utilization of public funds, challenges of corruption.
- Case studies on above issues

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UNIT

1

Ethics & Human Interface

After reading this Unit, you will he able to understand

- Ethics and its Scope
- Essence, determinants and consequences of Ethics in human actions
- Dimensions of ethics
- Ethics in private and public relationships
- Human Values – lessons from the lives and teachings of great leaders, reformers and administrators
- Role of family, society and educational institutions in inculcating values.

Ethics

Ethics may be defined as the systematic study of human actions from the point of view of their rightfulness or wrongfulness, as means for the attainment of the ultimate happiness. It is the reflective study of what is good or bad in that part of human conduct for which human has some personal responsibility.

In other words, Ethics is a set of standards that a society places on itself and which helps guide behaviour, choices and actions.

Ethics is integral to public administration. In public administration, ethics focuses on how the public administrator should question and reflect in order to be able to act responsibly.

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Scope of Ethics

Ethics deals with voluntary actions. We can distinguish between human actions and actions of human: human actions are those actions that are done by human consciously, deliberately and in view of an end. Actions of human may not be wilfully, voluntarily, consciously and deliberately done but all the same they are done by human (e.g. sleeping, walking, etc.). It is the intention which makes the difference between human action and action of human. In ethics we deal only with human actions.

What Ethics is Not?

Ethics is not morality. Morality can be an individual set of commitments even when they are rejected by others. But one cannot be ethical alone. Ethics brings other people for the realization of the self. Morality does not demand acquiescence from others the way ethics does. It is possible to he moral alone. A moralist can say 1 do not believe in war, so what if everyone else does.

Ethics is not religion. Many people are not religious, but ethics applies to everyone. Most religions do advocate high ethical standards but sometimes do not address all the types of problems we face.

Ethics is not following the law. In law, a man is guilty when he violates the rights of another. In ethics, he is guilty if he thinks of doing so {Immanuel Kant). A good system of law does incorporate many ethical standards, but law can deviate from what is ethical. Law may have a difficult time designing or enforcing standards in some important areas, and may be slow to address new problems.

Ethics is not following culturally accepted norms. Some cultures are quite ethical, but others become corrupt -or blind to certain ethical concerns {United States was to slavery before the Civil War; caste system in India). "When in Rome, do as the Romans don is not a satisfactory ethical standard.

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Why be Moral?

Not few are the people who ask this question: Why should we be moral? Why should we take part in the moral institution of life? Why should we adopt a moral point of view?

In every human person there is a deep desire for good. Human being by nature tend to good – summum bonum. Each man/woman desires what is best for himself/herself. The ethical principles and moral practices help one to attain what is best. It helps a person to perfect himself/herself as a moral being. Moraiity has to do more with one's interior self than the practice of some customs or set rules. Viewed from this point, morality is a deep down desire In human person and is something to do with the very nature of human person. The rational nature of human person makes him/her aware of certain fundamental principles of logical and moral reasoning. This means that there is not only a subjective aspect to every human action but also an objective one that prompts human person to base himself herself on certain common principles.

We also find that for the functioning of any society we need certain rules and regulations. The conditions of a satisfactory human life for people living in groups could hardly obtain otherwise {neither a "state of nature" nor a "totalitarian state"). The institutions which are designed to make life easier and better for humankind, cannot function without certain moral principles. However, here the question of individual freedom can also come in. How far the society can go on demanding? Shouldn't it respect the freedom of the individual? Is morality made for man or man is made for morality?

Morality is a lot like nutrition. Most of us have never had a course in nutrition or even read much about it. Yet many of us do have some general knowledge of the field, of what we need to eat and what not. However, we also make mistakes about these things, Often thinking of the good, a particular diet can do in the long run for our health, we may go

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for it although it may bring no immediate satisfaction. So too is our moral life. While nutrition focuses or our physical health, morality is concerned about our moral health. it seeks to help us determine what will nourish our moral life and what will poison it It seeks to enhance our lives, to help us to live better lives. Morality aims to provide us with a common point of view from which we can come to agreement about what all of us ought to do. It tries to discover a more objective standpoint of evaluation than that of purely personal preference.

Branches of Ethics

There are four branches of Ethics, namely-

- Descriptive Ethics
- Normative Ethics
- Meta-Ethics
- Applied Ethics

Descriptive Ethics

Descriptive ethics is the study of people's beliefs about morality. It involves empirical investigation. It gives us a general pattern or a way of life of people in different types of communities. Descriptive ethics studies the history and evolution of ethics. It gives a record of certain taboos, customs or conventions. For example, it states the history of various institutions like family or marriage. Lawrence Kohlberg's theory of moral consciousness is an example of Descriptive Ethics (See Unit 5 for Kohlberg's theory).

Descriptive ethics investigates people's ethical ideals or what actions are condemned in a society. It aims to find out people's beliefs about values, which actions are right and wrong and which characteristics of a moral agent are virtuous. Descriptive ethics seeks the explanation of actual choices made by moral agents in

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practice. It tries to examine the ethical codes applied by various groups. Descriptive Ethics is a value-free approach to ethics. It is empirical investigation of people's moral beliefs.

Normative Ethics

Normative ethics involves arriving at moral standards that regulate right and wrong conduct. In a sense, it is a search for an ideal litmus test of proper behaviour.

Normative ethics is also called as prescriptive ethics. It is the study of ethical theories that prescribe how people ought to act. It examines standards for the rightness and wrongness of actions. Normative ethics suggests punishment when a person deviates from the path of ideals. It provides justification for punishing a person who disturbs social and moral order. It tries to establish certain theories on the guidelines of some norms. Normative ethics offer the moral principles to use to resolve difficult moral decisions.

Aristotle's virtue ethics, Kant's deontoiogical ethics, Mill's Consequentslism {Utilitarianism) and the Bhagwad Gita's Nishkam Karmayoga are the theories in Normative Ethics {these have been explained in Unit-5).

The Golden Rule is a classic example of a normative principle: "We should do to others what we would want others to do to us". Since one would want people to feed him if he was starving, then he should help feed starving people. Using this same reasoning, we can theoretically determine whether any possible action is right or wrong. So, based on the Golden Rule, it would also be wrong for a person to lie to, harass, victimize, assault, or kill others. The Golden Rule is an example of a normative theory that establishes a single principle against which we judge all actions. Other normative theories focus on a set of foundational principles, or a set of good character traits.

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Meta Ethics

Meta ethics is defined as the study of the origin and meaning of ethical concepts. The term "meta" means after or beyond, and, consequently, the notion of Meta ethics involves a removed, or bird's eye view of the entire project of ethics.

In Meta ethics, two issues are prominent: (1) Metaphysical issues concerning whether morality exists independently of humans, and (2) Psychological issues concerning the underlying mental basis of our moral judgments and conduct.

In other words, Meta ethics is the study of what ethical terms and theories actually refer to. it determines the validity of theories advanced in Normative Ethics. We use certain moral concepts such as right, wrong, good or bad to evaluate human actions. These moral concepts are used as tools in passing moral judgments. Meta ethics analyses ethical concepts. it studies the meaning of moral language and the metaphysics of moral facts. Meta ethics seeks to understand the nature of ethical properties and evaluations.

Meta ethics deals with the questions such as "What is the meaning of moral terms or judgments?', 'What is the nature of moral judgments?', 'How may moral judgments be supported or defended?"

Applied Ethics

Applied ethics is the branch of ethics which consists of the analysis of specific, controversial moral issues such as abortion, animal rights, or euthanasia. It helps to use knowledge of moral principles to present dilemmas. There are certain issues which arise due to newly adopted life style. Applied ethics deals with the questions such as, "Is getting an abortion immoral?" "Is euthanasia immoral?" "Is affirmative action right or wrong?" "What are human rights, and how do we determine them?" 'Do animals have rights as well?" and 'Do individuals have the right of self- determination?"

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Two features are necessary for an issue to be considered an 'applied ethical issue'. First, the issue needs to be controversial in the sense that there are significant groups of people both for and against the issue at hand. The second requirement for an issue to be an applied ethical issue is that it must be a distinctly moral issue and not just a social controversy.

Determinants of Ethical Behaviour

There are three main influences that determine the ethical behaviour and decisions-

- Individual personality traits: individual value system, upbringing, education, religious beliefs, experiences, etc,
- Cuiture/country of an individual,
- Organisation/industry: prevailing ethics of the organisation/ industry an individual works for.

Determinants of Ethics in Governance

The levels of ethics in governance are dependent on the social, economic, political, cultural, legal-judicial and historical contexts of the country. These specific factors influence ethics in public administrative systems. Ethics, whether in an entire society, or in a social sub-system, evolves over a long period of time and is influenced, during its nurturance and growth, by a variety of environmental factors, such as, historical, socio-cultural, legal-judicial, political and economical.

Values

Values are the individual principles or qualities that guide judgement and behaviour of a person or a group. Values are like an anchor in a ship. When a storm comes, a ship is not swept away by strong currents but remains anchored to the shore. A person with strong values or character sticks to his principles and Is not swept away, in crisis or under pressure.

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Values flow from the highest of our own self. For each one of us, there are values rooted in the finest part of the self from where we radiate outwards. These values are an inbuilt mechanism, which distinguishes the right from the wrong, the Do's and Don'ts of any action, even when no one is looking. Values are concerned with character and conduct of a person and evaluate the voluntary and habitual actions of individuals with reference to their being right or wrong.

There is another view on the values, that this self managing mechanism is not intuitive, but it is acquired from the environment by continuous teaching and the behaviour of others, especially the superior in age and statues, as perceived by an individual. We cannot deny the impact of environment, society and family on an individual for the values he imbibes. At the same time, we cannot deny the fact that the source of values is within, which guides one in making choice in acquisition of learning from the environment. We can say that there are uniform (Universal) values inbuilt in each one of us. They flow out of the highest of our own self, our ultimate holistic potential. They refer to our intrinsic humanness. Individual or personal values vary to the extent one is conscious towards this inner source and the extent to which one tends to compromise with it in the given cultural environment and other compulsions. Thus, both the source 'within' and the 'cultural environment' are important for inculcation of values.

Intrinsic Values and Extrinsic Values

Values can be viewed from the standpoint of their importance. All values are experiences of different degrees of importance in the development of individuality. So we classify values on the basis of importance these values have.

An intrinsic value is one which has worth in its own right. It is an End-in-itself. Truth, Beauty, Goodness, Temperance, Courage, etc. are considered as intrinsic values. They are good not because of their consequences but because they are good in themselves.

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These values retain even if they were to exist completely alone. Intrinsic values are said to be Absolute values.

An Extrinsic value is one which is a means to some other value. It is of instrumental worth only. A pair of spectacles is good only if there are eyes behind spectacles to see through them. The spectacles have instrumental value. Extrinsic or Instrumental values are the part of larger whole. They are means to an End. Wealth, fame, physical fitness, etc. borrow their worth from something extraneous to them.

The terms Extrinsic and Intrinsic are used relatively. They are not always mutually exclusive or fixed. What is valued by one person for its own sake may be valued by another person as a means to an end.

Values can be graded as Positive Values and Negative Values, Productive Values and Unproductive values; Permanent Values and Transient Values. In general, Intrinsic Values are rated higher than Extrinsic Values. Positive Values are preferred to Negative Values. The locus of values is human mind. It is a special sort of reaction to the environment. Human mind has three psychical functions (aspects)—thinking, feeling and willing. The values corresponding to these functions are Intellectual Values (Truth), Aesthetic Values (Beauty) and Moral Values (Goodness). Truth, Beauty and Good are Universal Values.

Morality and Ethics

Moral Is related to issues of right or wrong and to how individuals should behave. Therefore Morality means standards of conduct that are accepted as right or proper. It is based on personal conscience rather than what the law says. Ethics and morals seem to appear similar on the face of it, but if one analyzes deeply, there is a subtle difference. Ethics define the code that a society or group of people adhere to, while morality delves into the right and wrong at a much deeper level, both personal and spiritual.

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Morals define personal character, while ethics stress a social system in which those morals are applied.

Ethics, Values and Morals

Ethics can also be defined as prepositional statements (standards) that are used by members of a profession or group to determine what the right course of action in a situation is. Ethics rely on logical and rational criteria to reach a decision, an essentially cognitive process.

Values, on the other hand, describe ideas that we value or prize. To value something means that we hold it dear and feel it has worth to us. As such, there is often a feeling or affective component associated with values. Often, values are ideas that we aspire to achieve, like equality and social justice.

Morals describe a behavioural code of conduct to which an individual ascribes. They are used to negotiate, support, and strengthen our relationships with others.

Value System

Values constitute an important aspect of self-concept and serve as guiding principles for an individual. Considered together, values form 'values systems'. A Value system' is an enduring organisation of beliefs concerning preferable modes of conduct or end-states of existence along a continuum of importance. Thus, the importance of different values co-varies with the importance of others in the value system. For e.g. one may value 'honesty' over 'success'.

Ethics in Public Administration

The notion of ethics has expanded itself to Involve all major realms of human existence. Here, an attempt is made to outline certain salient aspects of ethics in public administration. Broadly, they could be summarized as following maxims:

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- **Maxim of Legality and Rationality:** An administrator will follow the law and rules that are framed to govern and guide various categories of policies and decisions.
- **Maxim of Responsibility and Accountability:** An administrator would not hesitate to accept responsibility for his decision and actions. He would hold himself morally responsible for his actions and for the use of his discretion while making decisions. Moreover, he would be willing to be held accountable to higher authorities of governance and even to the people who are the ultimate beneficiaries of his decisions and actions.
- **Maxim of Work Commitment:** An administrator would be committed to his duties and perform his work with involvement, intelligence and dexterity as Swami Vivekananda had observed: "Every duty is holy and devotion to duty is the highest form of worship/ This would also entail a respect for time, punctuality and fulfilment of promises made. Work is considered not as a burden but as an opportunity to serve and constructively contribute to society.
- **Maxim of Excellence:** An administrator would ensure the highest standards of quality in administrative decisions and actions and would not compromise with standards because of convenience or complacency. In a competitive international environment, an administrative system should faithfully adhere to the requisites of Total Quality Management.
- **Maxim of Fusion:** An administrator would rationally bring about a fusion of individual, organisational and social goals to help evolve unison of ideals and imbibe In his behaviour a commitment to such a fusion. In situation of conflicting goals, a concern for ethics should govern the choices made.
- **Maxim of Responsiveness and Resilience:** An administrator would respond effectively to the demands and challenges from the external as well as internal environment. He would adapt to environmental transformation and yet sustain

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the ethical norms of conduct. In situations of deviation from the prescribed ethical norms, the administrative system would show resilience and bounce back into the accepted ethical mould at the earliest opportunity.

* Maxim of Utilitarianism: While making and implementing policies and decisions, an administrator will ensure that these lead to the greatest good (happiness, benefits) of the greatest number.

* **Maxim of Compassion:** An administrator, without violating the prescribed laws and rules, would demonstrate compassion for the poor, the disabled and the weak while using his discretion in making decisions. At least, he would not grant any benefits to the stronger section of society only because they are strong and would not deny the due consideration to the weak, despite their weakness.

* **Maxim of National Interest:** Though universalistic **in** orientation and liberal in outlook, a civil servant, while performing his duties, would keep in view the impact of his action on his nation's strength and prestige. The Japanese, the Koreans, the Germans and the Chinese citizens (including civil servants), while performing their official roles, have at the back of their mind a concern and respect for their nation. This automatically raises the level of service rendered and the products delivered.

* Maxim of justice: Those responsible for formulation and execution of policies and decisions of governance would ensure that respect is shown to the principles of equality, equity, fairness, impartiality and objectivity and no special favours are doled out on the criteria of status, position, power, gender, class, caste or wealth.

* Maxim of Transparency: An administrator will make decisions and implement them in a transparent manner so that those affected by the decisions and those who wish to evaluate their rationale, will be able to understand the reasons behind such decisions and the sources of information on which these decisions were made.

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- Maxim of Integrity; An administrator would undertake an administrative action on the basis of honesty and not use his power, position and discretion to serve his personal interest and the illegitimate interests of other individuals or groups.

Public Relations

Public Relations have now become a vital function affecting management decisions and influencing public opinion in every public or private organisation. Today, it is indispensable for any organisation. The reasons for it being so are as follows:

- Recognition of right of expression and freedom of information.
- Advance in telecommunication and transport.
- Opening up of traditionally closed societies and increasing globalisation.
- Governments employing Public Relation practice for slaying in power, for development task, etc,
- Growth in business, amalgamations, collaborations, operating with subsidiaries, spreading across national boundaries and in different cultures.

Ethics in Public Relations

Public Relations recognise a long-term responsibility and seek to persuade and to achieve mutual understanding by securing the willing acceptance of attitudes and ideas. It can succeed only when the basic policy is ethical, and the means used as truthful. In Public Relations, the ends can never justify the use of false, harmful or questionable means.

However, It is a difficult task to describe what is ethical and what is unethical. It would be simpler to state it as a matter of choosing between the right and wrong options in keeping with conscience. Anything that causes dissonance in the mind brings

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about a feeling of guilt and dishonesty. And dishonest communication cannot be an aid to cementing relationships. Public are also not to be underestimated as fools. As Abraham Lincoln said, 'you can fool some people all the time, and all of the people some of the time, but you cannot fool all the people all of the time'.

There are a number of acts that could be classified as unethical, ranging from suppressing of news to misleading the audience. Unethical act in public relations may include:

- Suppressing unfavourable news,
- Misrepresenting facts,
- Postponing to serve a cause but actually serving some other interest,
- Promising results that cannot be obtained,
- Use of undesirable method towards pressurising editors for carrying publicity material.

With increasing education, the consumers and public have became aware of their rights and a Public Relations person may have to deal with pressure groups like trade unions, consumer protection groups, environment protection activities, etc. Therefore, it is imperative for a Public Relations practitioner to be self regulating, ethical as also be careful about the legal aspects of communication.

Values in Public Relationships

The importance of articulating ethics and the values that define and underpin the public service, cannot be underscored. This is seen as critical to providing both public officials and the public with a common frame of reference regarding the principles and standards to be applied and in assisting public officials to develop an appreciation of the ethical issues involved in effective and efficient public service delivery.

An example of the importance attached to the above-mentioned ethical principles is found in the "Seven Principles of Public Life"

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given by the Nolan Committee in the United Kingdom. These principles are as follows-

- Selflessness: Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership: Holders of public office should promote and support these principles by leadership and example.

Human Values

The values according to or against which we act are the unavoidable and essential element of all important decisions in the human arena. Values are the link that ties together personal

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perceptions and judgements, motives and actions. The same applies in understanding social and political life. A make-or-break idea is that values or precepts - and their various practical consequences in life - are at least as fundamental to understanding man and society as are the much-vaunted physical necessities. They are also essential in improving man and society too.

The great predominance of violence, war, hate and crime in most societies and eras of history may seem to refute the universality of human values. However, the values do go back to the earliest recorded human societies and religions and have somehow persisted throughout all the eras and all cultures. In this sense they are universal, added to which is the evolutionary nature of the human being and civilisation, whereby the assertion of these values becomes eventually more and more secure, and now on an interactive global scale through international laws and practices.

What do Human Values consist of?

Human values can be formulated or expressed in many ways: anything from practical examples to moral principles at the highest levels of generality. However, genuine human values are not abstract principles developed by academics or preachers, but life-embedded ideas and precepts, along with their various justifications, Because they are human, values are not divinely ordained rules of behaviour - not commandments set in stone. They are related to differing cultures, unique persons and situations and are developed and expressed in human terms for the human aims they collectively represent.

Basic Human Values

Human Values which have wide common appeal - possibly even a universal relevance – are:

- Truth
- Love-Caring
- Peace

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- Responsibility
- Justice

Truth

The truth in any matter does not depend upon the will or wish of the individual, but is independent of desires and their related interests and opinions. Evidence that truth is an inherent value in the human psyche is found in the fact that no-one likes to be called a liar, not even most liars. Further, it is much harder to sustain a lie than to maintain the truth, because one lie leads to another until the complexity is unmanageable.

Love-Caring

The word 'love' should be taken in the very wide sense of 'care' or 'concern for'. This can be taken as a basic category or general human value which relates to concern and respect for others and the environment. The word 'love' is here used in a broader sense than in common parlance where personal and/or erotic love is the common interpretation. Its essence can be characterised by the words "Love is unselfish care and concern for the well-being of others and the world at large. The less selfish it is, the more it enriches life". Being neither a sensation, an emotion nor a mere conception, but being identifiable only at the heart or core of the human consciousness, love in this universal sense is the characteristic par excellence of the human soul or psyche. It is common to include altruism, understanding and forgiveness under the more encompassing (but vague and ambiguous) word 'love'.

Peace

As a universally-accepted positive value, peace refers to the experience of harmony, a balanced but nevertheless dynamic mental condition. Peacefulness in a person's life, in society and in

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world terms, is a product of all positive values working together sufficiently. Without truth, caring concern (or 'love') and justice, conflicts arise and peace is endangered or lost. White peace is the absence of disturbance, violence, war and wrongdoing generally, it is tangible present when experienced individually as peace of mind, the mutual respect and pleasure of friendliness and tolerance.

Peace of mind is individual, but peace in society is the result of positive acts, which are not violent or destructive but tolerant and constructive.

Responsibility

The human value of doing one's duty is closely related to non-violence. This is the reasonable tendency to wish to avoid harm to creatures or their environment wherever avoidable. Respecting the integral nature of ecosystems or of a social-natural environment as against the destructive influences of pollution, misuse and excessive exploitation exemplify the spirit of non-violence (the Hindu concept of 'Ahimsa' as well-developed by Gandhi). It is the inherently-sensed value that prompts us to draw back from unethical meddling in life processes.

Knowledge of what is true combined with insight into what is good, are the basis of duty, also conceived as 'acting rightly'. Behind any conscious act lies the thought. If the thought is fed by the will towards the true and the good - in contrast to purely selfish aims - the act is 'right'. This is also found in the Eastern concept of 'dharma' or action in accordance with the universal laws of nature (both physical and human nature).

Justice

The European tradition has long embraced justice as one the highest human values, even as the highest (Socrates and Plato). The idea of justice is difficult to define satisfactorily. It is based on fairness, where the equality of every individual before the

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law is fundamental. As such it is a social value in that it aims to resolve and reduce conflict, guided by the principles of care and non-violence (involving the minimum use of force required). The aim to achieve social justice for the perceived common good has certainly a long pre-history as a central idea in all human societies. The Classical Greek idea of justice eventually gave rise to that of 'human rights', first formalised in the Charter of the 1948 Geneva Convention, which is continually undergoing further development and extension.

The human value justice also has wide-ranging political relevancy, such as in the strivings of egalitarianism in political democracy and other systems of rule. As such, justice is a major human value that embraces most aspects of social life. This value is to be understood in the deep Vedic sense of 'Ahimsa', being universal in implying respect for all living beings.

Human Values- Lessons from Lives of Great Leaders, Administrators & Reformers

This section has been dealt with by first giving the names of some great leaders, administrators and reformers and then by mentioning the basic human values which they possessed and practiced throughout their personal and public life.

Leader and Administrator: Meaning and Differences

Administration is defined as a process of working with and through others to accomplish the agreed goals efficiently. An administrator then is one who is responsible for carrying out this process. Administrative theorists describe the essential roles and tasks of administration as planning, organizing, leading and controlling. Management is also concerned with tasks such as planning, coordinating, directing, defining objectives, supporting the work of others, and evaluating performance. Thus a similarity exists between administration and management.

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However, leadership is the exercise of high-level conceptual skills and decisiveness. It is envisioning mission, developing strategy, inspiring people, and changing culture.

Administrators are appointed. They have a legitimate power base and can reward and punish. Their ability to influence is founded upon the formal authority inherent in their positions. In contrast, leaders may either be appointed or emerge from within a group. Leaders can influence others to perform beyond the actions dictated by formal authority. In this sense, managers/administrators get other people to do, but leaders get other people to want to do.

Another distinguishing factor between leaders and administrators is that leaders initiate new structures or procedures to achieve organizational goals or objectives, whereas administrators utilize existing structures or procedures for this purpose. In other words, administrators are concerned with shaping existing structures and processes of the organization to produce desired results, whereas leaders have a commitment or vision and shape people around their commitment or vision. An administrator is concerned with carrying out policies, while a leader formulates policies. An administrator does the thing right, while a leader does the right thing.

Reformer

A reformer is a person who wants to improve the prevailing conditions in society by bringing about reforms in any area of human activity e.g., politics, social customs and religion.

A social reformer is a disputant who advocates for reforms to discard the social evils like child marriage, untouchability, female-foeticide, etc. Examples of social reformers include Dr. B.R. Ambedkar, Raja Rammohan Roy and Ishwar Chandra Vidyasagar. These people have been able to make an impact on the people with their philosophy and great work for the society.

A political reformer is one who promises voters that he will address poor practices or questionable activities in government.

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Some of the main issues addressed to by the political reformers are like corruption in government offices, right of equality to all, transparency and accountability in government activities.

A religious reformer is someone who feels that a certain religion has overstepped its bounds or has lost its original message, purpose or goal, and who attempts to bring it back to its pure state.

Leader, Administrator and Reformer: Common Values

Though they may require different attitudes, skills and traits, but all great leaders, administrators and reformers share certain values which they adhered to even in their toughest rime. An attitude to serve the people, uplifting the downtrodden, impartiality and integrity, benevolence and compassion – they all became the hallmark of their personality and character. In the next section, the same has been duly elaborated.

Human Values- Lessons from the Lives of Great Leaders

There have been many great leaders over the world like Mahatma Gandhi, Abraham Lincoln, Martin Luther King Jr, Nielson Mandela, Vaclav Havel, Aung San 5u Ki and Mother Teresa, who lived and did all the things on the basis of basic human values. Some of these human values which manifested from their works and lives are as follows-

* Love for Justice
* Selflessness
* Respect for Humanity
* Dignity for all
* Loving and caring behaviour
* Peace loving (non-violence)

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- Benevolence
- Compassion

Human Values- Lessons from the Lives of Great Administrators

Our generation has been fortunate enough to have some of the best administrators in the world. Some of them are as follows- Verghese Kurien, M.S. Swaminathan, Sam Pitroda, E. Sreedharan, CD. Deshmukh, I.C. Patel, V.P. Menon and CVG Krishnamurthy. From the work of these administrators, it is evident that they have been guided by various professional and human values throughout their lives. Here we mention some of the professional and human values which have been the source of their guidance in the field of administration-

- Integrity
- Non-discrimination
- Discipline
- Citizenly-duty
- Social Equality
- Lawfulness
- Sense of ethical accountability
- Loyalty
- Courage
- Solidarity and respect

Human Values- Lessons from the lives of Great Reformers

In India, there have been many social reformers like Kabir, Guru Narak Dev, Raja Rammohan Roy, Ishwar Chandra Vidyasagar,

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Swami Vivekananda, etc. who challenged the prevailing evil customs and enlightened the society on various social and religious matters. We observe that their lives exhibit following values-

- Respect for Humanity
- Dignity for all
- Humanism
- Reason and Inquiry for seeking the truth
- Kindness and compassion
- Contentment
- Social Equality

Inculcating Values- Role of Family

Family being the first and major agency of socialization has great influence and bearing on the development of the child. It has been shown by various studies that most of the children who are successful/great achievers and well-adjusted come from the families where sustaining wholesome relationships exist. Therefore, it is the home, which sets the pattern for the child's attitude towards people and society, aids intellectual growth in the child and supports his aspirations and good values.

Inculcating Values- Role of Society

Administrative morality is a part and parcel of the general morality of the community. Finer said, "The ethics of every profession will be found, on dose analysis, to be not much higher and not much lower than the general decency of the nation as a whole. Their nature, at the best, is powerfully moulded by the level of the surrounding and prevailing civilization/

The success of any government depends upon the effective collaboration of its citizens. All the books of dvies would emphasise civic consciousness for the progress of the country. This is possible

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only if our educational system and mass media are reoriented to character-building among the people. People's character is the ultimate source which can supply kinetic energy for modernisation and development.

There is a great need to infuse civic consciousness, patriotism and discipline among the citizens through education, adult education and functional literacy. The members of all the communities would then cooperate with the personnel in the public services. And the personnel in the public services would work hard to bring about all round development of the people.

Inculcating Values- Role of Educational Institutes

Education is a process of initiating the learners into a form of life that is considered as desirable to preserve and promote. Education necessarily involves transmission of values. However, these changes are to be brought about employing such procedures as do not violate the freedom and autonomy of the learner.

The different aims of education-development of the human personality, pursuit of knowledge, preservation of culture, development of character, promotion of social justice, scientific temper, democracy, secularism and so on are just so many varied educational expressions of the constituents of the good life. It is through education that society seeks to preserve and promote its cherished values.

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UNIT

2

Attitude

After reading this Unit, you will be able to understand

- What is attitude
- Components of attitude
- Structure function of attitude
- Attitude and its influence
- Attitude relation with thought and behaviour
- Moral and political attitudes
- Social Influence
- Persuasion

Attitude

Attitude refers to a psychological tendency that is expressed by evaluating a particular object with some degree of favour or disfavour. "Object" includes people, things, events, and issues. Attitudes are the feelings and beliefs that determine the behaviour of the persons. They provide framework for responding in a particular fashion.

The attitudes may be positive or negative. The positive attitudes yield favourable behaviour and the negative attitudes yield unfavourable behaviour. Therefore all variables must be identified and analysed which help in the formation of favourable

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attitudes. The persons having positive attitudes towards the job and organisation may contribute their best to the organisation.

Components of Attitude- 'CAB'

There are three components of attitude, generally called CAB-

- Cognitive
- Affective
- Behavioural

Cognitive Component

The cognitive component of attitudes refers to the beliefs, thoughts, and attributes we associate with an object. When you form your opinion or judgment on the basis of available information and decide whether you have a favourable or unfavourable opinion on that, it is the cognitive part of an attitude we are talking about.

Affective Component

The affective component of attitudes refers to feelings or emotions (e.g. fear, sympathy, hate, like, pleasure) linked to an attitude object. Affect plays a very important role in attitude formation. Also, affect is a common component in attitude change, persuasion, social influence, and even decision making. How we feel about an outcome may override purely cognitive rationales.

Behavioural Component

The behavioural component of attitudes refers to a tendency or a predisposition to act in a certain manner. The predisposition to behave in a certain manner may be caused by affective and cognitive components. For example, the things you believe about something (for e.g. 'my boss is corrupt and is misusing company funds') and the way you feel about it (e.g. 'I can't stand working

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for him'} may have some effect on the way you are predisposed to behave (e.g. Tm going to quit my present job'}.

Categories of Attitudes- Explicit and Implicit

Attitudes are divided into two categories as given below. The basic difference between these two types of attitudes is conscious and unconscious cognition.

* Explicit attitudes- Result of Conscious Cognition
- Implicit attitudes- Result of Unconscious Cognition

Explicit Attitudes

They are characterized as the attitudes which are the result of conscious cognition, which means person is aware of his or her attitude. Explicit attitudes are mostly affected by recent or more accessible events. These types of attitudes represent cognitive and motivational factors behind the assigning of attitude, more deliberate thinking is involved in it. Since self is involved more consciously in it so sometimes it is known as 'self reported attitude'.

Implicit Attitudes

Implicit attitudes are derived from past memories, which are rooted in unconscious cognition. Sometimes unknowingly we attribute something for object that is implicit attitude which are governed by our past memories (sometimes forgotten memories). We do not deliberately think over it. It just comes out from our self without an intention. Since cognitive pari is absent in these attitudes so these are largely influenced by affective experiences and because of these experiences priming affects implicit attitudes than explicit altitudes, which means implicit altitudes are more easily accessible if there is Influence of contextual factors. Since implicit attitudes are more closely related to affective experiences and the 'culture' is a collection of certain feelings and emotions,

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therefore, cultural biases have appreciable impact on implicit attitudes.

Formation of Attitude

Right from our birth onwards, we are exposed to a wide variety of stimuli, both directly and indirectly, which lead to our acquiring particular attitudes towards the altitudinal object. It is believed that attitudes are by and large acquired as a result of various life experiences, although a small but growing body of evidence indicates that attitudes may be influenced by genetic factors, too.

A number of theories have been used to identify what lead to formation and maintenance of attitudes-

- Classical or Pavlovian Conditioning
- Instrumental Conditioning
- Observational Learning
- Genetic Factors

Classical or Pavlovian Conditioning

Classical Conditioning is a process of behaviour modification by which a subject comes to respond in a desired manner to a previously neutral stimulus that has been repeatedly presented along with an unconditioned stimulus that elicits the desired response. A stimulus is a factor that causes a response in an organism.

Conditioning is usually done by pairing the two stimuli, as in Pavlov's classic experiments. Pavlov presented dogs with a ringing bell followed by food. The food elicited salivation (unconditioned stimulus), and after repeated bell-food pairings the bell also caused the dogs to salivate. In this experiment, the unconditioned stimulus is the dog food as it produces an unconditioned response, saliva. The conditioned stimulus is the

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ringing bell and it produces a conditioned response of the dogs producing saliva.

Classical conditioning could play a role in establishing some of the emotional components of attitudes and prejudice. Further, through classical conditioning, people may come to have powerful attitudinal reactions to social objects even in the absence of firsthand experience. Hence, children who hear repeated pairings of words in their parents' conversations (such as say, Muslims-Aggressive, Muslims-Fundamentaltsts) throughout their early years of development may come to adopt such negative attitudes themselves— without even meeting them.

Instrumental Conditioning

According to this, behaviours that are followed by positive outcomes tend to be strengthened, while those that are followed by negative outcomes are suppressed. The degree to which attitudes are verbally or nonverbally reinforced by others will affect the acquiring and maintenance of attitudes.

For example, early in your life, if your parents and teachers praised you for doing well in studies, you may have doubled your efforts and developed a positive attitude towards studies. However, if your friend's parents did not acknowledge her achievements in studies, she would have probably developed a negative attitude toward studies.

Observational Learning

The phenomenon by which a person acquires new forms of behaviour or thought simply by observing the rewards and punishments that others get is called observational learning.

Genetic Factors

Genetic factors also play a role in shaping attitudes of an individual. However, they play stronger role in shaping some attitudes

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than others. For example, attitudes involving gut-level preferences {say a preference for a certain kind of food) may be more strongly influenced by genetic factors than attitudes that are more cognitive in nature (say attitudes towards environment conservation}.

Structure of Attitude and the Dynamic Properties of Attitude

The structure of attitudes can be examined by exploring their (CAB's} dynamic implication for information processing, retrieval and judgment These dynamic properties of attitudes are as follows-

- Altitude Strength
- Attitude Accessibility
- Attitude Ambivalence

Attitude Strength

Attitudes differ in strength. Strong, central attitudes are attitudes that refer to important attitude objects that are strongly related to the self. These attitudes are often related to important values. Attitude strength involves several dimensions, such as- certainty, intensity and extremity, attitude origin, personal imfxirtance.

Attitude Accessibility

Attitude accessibility refers to the ease with which attitudes can be retrieved from memory, in other words how readily available is an attitude about an object, issue, or situation. Attitudes that are more accessible from memory are more predictive of behaviour, influence what messages are attended to, and how those messages are processed, and are more stable across time.

Attitude Ambivalence

People can also be conflicted or ambivalent toward an object,

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meaning that they simultaneously possess both positive and negative attitudes toward the object in question. Attitude ambivalence refers to the fact that our evaluations of objects, issues, events, or people are not always uniformly positive or negative; our evaluations are often mixed, consisting of both positive and negative reactions.

Attitude ambivalence may also be the result of conflicting values. For example, you may have an ambivalent attitude towards arranged marriages, because on one hand you value obedience and adherence to parents; on the other, you may value freedom and personal choice.

Moral Attitude

All humans hold and express moral attitudes. Moral attitudes include moral judgments such as "right or wrong" and "blameworthy or praiseworthy". Moral attitudes are also present when states of the world are described in terms of "good" or "bad" and "better or worse" as this tells us something about the values and worldview of the speaker. Big differences exist in what people describe as good or right. These differences in attitudes are found when comparing cultures or groups (cultural level} but also when comparing individuals within the same group of people (individual level) and when comparing the attitudes the same person expresses under different circumstances (situational level).

Moral values are the highest among all natural values. Goodness, purity, truthfulness, humility of man rank higher than genius, brilliancy, exuberant vitality, than the beauty of nature or of art, than the stability and power of a state. What is realized and what shines forth in an act of real forgiveness, in a noble and generous renunciation; in a burning and selfless love, is more significant and more noble, more important and more eternal than all cultural values. The moral values were also recognized by the great minds, such as Socrates, or Plato, who continually repeated that it is better to suffer injustice than to commit it. This pre-

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eminence of the moral sphere is, above all, a basic proposition of the Indian cultural ethos.

Political Attitude

An attitude is a predisposition to respond to a particular stimulus {i.e., object) in a particular manner. Political attitudes are those directed toward political objects, such as political candidates, political issues, political parties, and political institutions.

Political Attitude and Personality Traits

Scholars have acknowledged that certain personality traits influence our political leanings and orientation. In this regard, following five traits are usually mentioned-

* Extraversion- It implies an energetic approach to the social and material world and includes traits such as sociability, activity, assertiveness, and positive emotionality.

* Agreeableness- Agreeableness contrasts a pro-social and communal orientation toward others with antagonism and includes traits such as altruism, tender-mindedness, trust, and modesty.

* Conscientiousness- It describes socially prescribed impulse control that facilitates task and goal directed behaviour, such as thinking before acting, delaying gratification, following norms and rules, and planning, organizing, and prioritizing tasks.

* Emotional Stability- Emotional Stability describes even-temperedness and contrasts with negative emotionality, such as feeling anxious, nervous, sad and tense.

* Openness to Experience- Openness to Experience (versus closed-mindedness) describes the breadth, depth, originality, and complexity of an individual's mental and experiential life.

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Each trait may have different effects on our economic ideology (free market vs interventionist) as well as on our social ideology (pro-choice/pro-equality vs pro-life/pro-tradition). Four of these five traits are expected to influence our ideology. The only exception is extroversion, which is expected to influence political participation but not ideology.

Functions of Attitude

Katz takes the view that attitudes are determined by the functions they serve for us. People hold given attitudes because these attitudes help them achieve their basic goals. The main functions of attitude are as following-

- **Utilitarian/ Instrumental Function-** This function is very close to the concept of instrumental conditioning. Katz says we develop positive attitudes towards those objects that are associated with rewards and develop negative attitudes toward those that are associated with punishment.
- Knowledge Function- We all have a need to attain some degree of meaningful, stable, clear, and organised view of the world. Attitudes satisfy this knowledge function by providing a frame of reference for organizing our world so that it makes sense. Using such a cognitive perspective, attitudes serve as schemas that help us in organizing and interpreting social information.
- **Ego-Defensive Function-** Some attitudes serve to protect us from acknowledging basic truths about ourselves or the harsh realities of life. These can help a person cope with emotional conflicts and protect self-esteem.
- Value Expressive Function- Value-expressive attitudes show who we are, and what we stand for. Hence they serve to demonstrate one's self-image to others and to express our basic values.
- **Social Identity Function-** Social identity function refers to the

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informativeness of **Attitudes** for person impressions, or how much attitudes appear to convey about the people who hold them. For example, the purchase of an Indian flag on the Republic Day may be **driven** primarily by social identity goals.

Influence of Attitudes on Behaviour

Various research works suggested that attitudes simply influence behaviour. In fact, the earliest definitions defined attitudes largely in terms of behaviour. For example, Allport defined attitudes as tendencies or predispositions to behave in certain ways in social situations.

The most recent research works suggest that the extent of influence of attitudes on behaviour depends upon certain factors. Following are the factors, which determine degree of influence of attitudes on behaviour:

- **True versus Expressed Attitudes-** True attitude and the expressed attitudes differ because both are subject to other influences. A measured or expressed attitude may not be a person's true attitude especially when dealing with sensitive issues, contexts and situations.
- **One Instance versus Aggregate-** The effects of an attitude becomes more apparent when we look at a person's aggregate or average behaviour rather than at an individual act. For example, research shows that people's general attitude towards religion poorly predicts whether they will go and worship next weekend. That's because the weather, their mood, their health, how far the temple is from residence, alternative plans, etc. also influence attendance. However, religious attitudes do predict quite well the total quantity of religious behaviours over a long time.
- **Level of Attitude-behaviour Specificity-** Attitude specificity, the extent to which altitudes are focused on specific objects

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or situations (e.g. JDo you like to eat Mexican foodf) rather than on general ones (e.g. 'Do you like to go out to eat?') Is clearly an important factor in the attitude-behaviour link. Attitudes can predict behaviour if both altitudes and behaviours are measured at similar levels of specificity.

- **Self Awareness-** Another aspect that influences behaviour is the self awareness, that isr how far the individual is aware of the attitudes that he or she holds. So long as persons are not aware of their attitudes, these attitudes will tend to influence the individuals' behaviours all the more intensely. On the other hand if an individual Is aware of his attitude, he or she will be quite self conscious about it and may hesitate showing it in their behaviours.
- **Attitude Strength-** The stronger the attitudes are, the greater their impact on behaviour. Attitudes formed through direct experience are stronger, and as a result, are better predictors of later behaviour. The attitudes of more personally involved individuals will be stronger predictors of behaviour than attitudes of the less involved.
- Attitude Accessibility- Attitude accessibility refers to the ease with which attitudes can be retrieved from memory. The more accessible attitudes can be spontaneously and automatically activated without our conscious awareness, and can guide our behaviour without us being necessarily aware of them.

Social Psychology

Throughout its history, humankind has been motivated to war, terrorism, ethnic cleansing, genocide, racist hysteria, religious intolerance and extremism, mass suicide and many other forms of irrational and pathological behaviour. In order to give answers to why these atypical behaviours occur, and to understand the motivation behind people's social or political behaviour, we need to tap into the fields of social psychology.

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Social psychology is defined as 'the scientific study of the ways that people's behaviour and mental processes are shaped by the real or imagined presence of others'. Social psychologists emphasise the core observation that human behaviour is a function of both the person and the situation. Accordingly, each and every individual contributes and expresses a set of distinctive personal attributes to a given situation. However, each specific situation also brings a unique set of forces to bear on an individual, compelling him or her to act in different ways in different situations.

Social Influence

Social influence is a major topic in social psychology and looks at how individual thoughts, actions and feelings are influenced by social groups.

The studies related to social influence focus on ways in which behaviour is influenced by outside factors, and this influenced behaviour could be behaviour of a whole group or of discrete individuals. A variety of scholars have defined ways in which individuals respond to social influences. The individual in an influential situation could comply, identify, or internalize, as defined by Professor Herbert Kelmen, a well-known scholar in this subject.

'Compliance' might look like agreement with others in a social setting, but below the surface, the person has by no means been fully convinced. For instance, if in a conversation between two people, one person makes a racist comment and the other is offended and says nothing, this could be viewed as complying, so that the appearance of agreement is maintained.

Other people may 'identify' with an influential person whom they either idolize from a distance or know intimately. A person whose wardrobe choice is solely influenced by the fashion advice of a supermodel would be expressing identification. Alternately, people may 'internalize' belief systems of others. If the two conversing people In the previous example both express racist statements,

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they are showing they have a belief system in common, however repugnant it may be, and they have moved far past the point of compliance.

Another way of viewing these influences is to discuss the types of things that may affect the behaviour of an average person. These include the person's family, family beliefs, and family structure. Other factors, particularly as people progress to adulthood, become involved. What other people are doing in peer groups is a powerful influence.

Types of Social Influence

Social influence in general refers to how one can be influenced or affected by others. Baumeister and Bushman (2010) divided types of social influence into two major forms;

- Normative influence
- Informative Influence

Normative Influence

Normative influence is related to the act of going along with the crowd in the effort to be liked and to be accepted. This is related to a human's fundamental need to belong to a social group thus increasing their chances to survive. By agreeing on common beliefs, values, attitudes and behaviour, there wifi be a higher level of acceptance and survival possibilities.

Asch's Classic Study (1955)

Asch's study showed the powerful effect of normative influence. In his experiment, participants had to judge the length of the line (which line (A, B or C) matches the first line?). He found that people were willing to get along and make decisions consistently with the group even when the group made clear errors. Asch concluded that people would rather make wrong decisions lhan to suffer social rejection.

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Informational Influence

In informative influence, we go along with the crowd because we think the crowd knows more than we do. This is especially during ambiguous situations when we do not have a dear idea of what to do. Two types of situations produce informational influence:

- Ambiguous situations: When people do not know what to do.
- Crisis situations: When people do not have Lime to think what to do.

in these situations, people follow others because they think others know what they are doing.

Principles of Social Influence

Principles of Social Influence play on fundamental human instincts and can be exploited both intentionally and unintentionally by professional influence agents. Many of these may seem like obvious tactics that advertisers and influence agents will utilize to sway our opinion. However, when we are not prepared to scrutinize and resist them, these principles will often work subliminally and quite powerfully. Thus, an important part of resisting these common influence tactics is awareness of their fundamental operating principles, contexts in which they are most easily provoked, and the best methods to avoid falling prey to them.

Following are the six principles of social influence-

- Reciprocity- This principle is based on the fact that people give back what another has given to them. It might seem obvious, and it is indeed one of the main rules of our society. Test for example yourself: smile to the people you meet, how many do reply with a smile?

- Consistency- This principle is based on the desire from people to be consistent with their previous actions, opinions and assertions. Combined with the idea of commitment, we can

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notice that people when having decided upon something, they will do whatever they can to remain to that point of view.

- Social Proof- This principle illustrates that people often decided what to do by looking at what similar others have done. This principle functions even better as people are in a condition of uncertainty. Uncertain people can be influenced easily.
- Liking- Liking is based on the principle that people are more easily influenced by those they like. It consists of several elements: physical attractiveness, similarity, praise, contact and association.
- Authority- The influential power of authority is undeniable. The first form is parental authority. Authority is reflected in different forms such as clothes, titles and – as it seems – automobiles.
- Scarcity- The rule of scarcity depicts that items and opportunities become more desirable as they are less accessible. The level of being unique or the fact they represent elsewhere unattainable advantages, are strong influential elements. Another example that speaks out for itself is censorship. The censored subjects or things are always the more interesting ones and do gain automatically in importance. "Limited editions" or "last week for sale" are slogans that have an immediate effect.

Meaning of Norms

Social norms are group-held beliefs about how members should behave in a given context Sociologists describe norms as informal understandings that govern society's behaviours, while psychologists have adopted a more general definition, recognizing smaller group units, like a team or an office, may also endorse norms separate or in addition to cultural or societal expectations.

A norm gives a person a rule of thumb for how they should behave. However, a rational person only acts according to the rule if it is optimal for them.

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Persuasion

Persuasion is an attempt to change a person's attitude and the scientific study can be traced back to Carl Hovland. He was the social psychologist from Yale University who studied the effect of films on soldier morale. He and other co-researchers then studied what can be termed as "who says what to whom" as:

- Who: the source: The "who" component represents the source of the message.
- Says what: the message: The "says what" is the actual message being conveyed.
- To whom: the audience: The "whom" refers to the audience.

Two important criteria that can determine the effectiveness of the persuasion are credibility and likeability.

Constructs of Persuasion

They represent three things that are important in persuasion:

- The source of persuasion
- The message
- The audience

Source Credibility

A source can be viewed as credible if he/she is seen as an expert and can be trusted. Experts can be influential because people assume they know what they are talking about but at the same time they also have to be trustworthy.

Source Likeability

A source is likeable if he/she is seen as similar and attractive. The halo effect refers to the assumption that because people have desirable traits such as physical attractiveness, they may also have

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other desirable effects such as intelligence. This is why a message delivered by an attractive person is perceived as more powerful than a message delivered by a less attractive person.

Resisting Persuasion

There are various ways to resist persuasion:

- Attitude Inoculation
- Forewarned
- Stockpile
- Defences against Influence

Attitude Inoculation

In attitude inoculation, people who have been exposed to counter arguments have more resistance to the persuasion. This is Consistent with the idea that a person becomes more resistant to diseases if he/she has been exposed to weakened doses of viruses that strengthen his/her immune system.

Forewarned

Being forewarned of the persuasion attempts can protect a person from being persuaded. When people believe someone is trying to persuade them and may take away their freedom of choice, they experience psychology reactance that motivates them to resist such attempt. This is because forewarning influences several cognitive processes that play an important role in persuasion. Forewarning gives us the opportunity to come up with counter arguments that can refute the message and gives people more time to recall relevant facts that can help refute the message. When people do the exact opposite of what they are being persuaded to do; this is called negative attitude change or a boomerang effect.

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Boomerang Effect

In social psychology, the boomerang effect is "the theory of psychological reactance that is supported by experiments showing that attempts to restrict a person's freedom often produce an anticonformity "boomerang effect". For example, in social marketing, the boomerang effect occurs as a result of attempted attitude change. If someone makes a strong attempt to change a prospect's attitude toward a subject, the prospect will counter with an equally strong response, even if, prior to the confrontation, the prospect held a weak attitude toward the subject.

Stockpile

A person with physical, cognitive and social resources is more likely to resist persuasion. In dealing with persuasion, a healthy, well-read person may be able to resist it better.

Defences against Influence Techniques

These techniques to resist persuasion are related to the techniques of social influences. If we are aware of various social influence techniques and perceive them as tricks to persuade us, we can resist them better.

Public & Administrative Attitude & Governance in India

Perception, orientation and attitude of public as well as administrators play a significant role in governance of a country. Considering this, it becomes important to understand the current dynamics of public and administrative perception and attitude. This would be dealt in following sub-headings:

- Administration vis-Λ-vis Public
- People's perception in administration

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- Administration's attitude towards people
- Reconciling of public and administration

Administration vis-à-vis Public

There is great increase in the functions and powers of administration in our times. Until the advent of the twentieth century, in the night watchman state, the rote of administration vis-Λ-vis public was limited to maintenance of law and order, administration of justice and collection of revenue.

However, the night-watchman concept was replaced by the social service or welfare state which meant 'administration' looking after health, education, industry, agriculture and everything under the sun that affected the 'public'. In the process, the administration became, highly complex and technical and necessitated 'the specialist' - the man with expertise to perform administrative responsibilities. The task of administration via-a-vis the public in developing countries like India is still more difficult owing to the fact that vast majority of our people are poor, illiterate, tradition-minded and lack initiative necessary for the nation-building task. To overcome this and generate zeal for development is a great challenge. The Administration is expected to act as an agent of social change and economic transformation; one who motivates people and brings about their active participation in the implementation of the developmental schemes.

People's Perception in Administration

For the successful working of public administration there is a need for active citizenship and self-help. Public administration in a democracy must be based on public consent and support. In fact, it is a two-way process. People's mind must be known to the administration and at the same time, administrators' efforts must be actively supported by the people. The aspirations of the people must be taken into consideration by the administration.

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People will respect administration only when it responds to the aspirations of the people.

It has already been pointed out that vast majority of people in India are illiterate, poor, ignorant and apathetic towards development. To urge public to participate actively in the process of development is a challenge before the Indian administration. In order to cope up with this problem, they must know what public's attitude is towards administration.

In this regard, various studies (including studies conducted by Administrative Reform Commission) have pointed out that the citizens hold the bureaucracy in low esteem. The relationship between the citizens and public servants lack cordiality and mutual understanding. Numerous complaints are always made by the public against the civil servants regarding delays in disposal of cases, corruption, lack of proper communication, evasion of responsibility, exploitation, favouritism, arbitrary and high-handed functioning and indifferent attitude. The public is suspicious about the integrity of the public officials and regard 'right contacts', 'political pulls', 'speed money', etc. as the ways and means to get the things done. The public feels that the bureaucrats are too much rule-minded and totally devoid of any human considerations. They are reluctant in disposal of work, thus creating scope for middlemen who exploit the poor and needy people.

Administration's Attitude towards the People

The Indian bureaucracy is, by and large, urban-middle class, whereas while performing their duties they mainly deal with the rural masses that are illiterate and poor. Thus, there is a wide cultural gap between the class of administrators and the vast majority of masses. The 'administrators' find the masses indifferent and the masses view the administrators as apathetic and disinterested in the development process.

The bureaucracy points out that the people are unaware of their rights, have no understanding of the problems and make no efforts to get their grievance redressed. Further, they do not have adequate knowledge of the rules, regulations and procedure of administration. To some extent, people are pessimistic about the assistance from the bureaucracy in getting the things done. The civil servants complain that there is too much interference in the administration and that the citizens try to bring pressure through local politicians. The administrators, on such occasions, find it most difficult to work honestly and freely.

Another standing complaint about the masses is that the general masses neither take keen interest in their own affairs nor do they show any initiative for bettering their own prospects. Further, they hardly support or cooperate with the civil servants who honestly try to bring about the change in the society. In fact, in a number of cases, the civil servants are looked at with contempt, suspicion, fear and distrust.

Reconciliation of Public and Administration

In the light of the divergent views held by the both the citizens and the administrators about each other, to admit the claims of both of them is difficult task. How to reconcile these mutually opposed views? Can the relationship between the two be improved? CP. Bhambri opines that something more needs to be done to change apathetic attitude of the citizens and make them positive and participate in the functioning of the administration. According to him, some linkages need to be established between the citizens and administration in order to achieve the goals of mutual trust and appreciation and for this the existing hiatus between the citizen and the administration in India needs to be bridged.

As regards the linkage between the public and the administrators, public administration must be well aware as to what public thinks of the administrative acts and policies as

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well as what hopes and desires are entertained by the public. In this regard, a thorough rapport can be established between the administration and the public by creating an agency of public relations in the administration itself. Such an agency enables the administration to learn about the public wishes and aspirations, to advise the public about what it should think, desire and do in specific spheres of activities, to cultivate satisfactory contact between the officials and about what the administration is doing for the public.

The egalitarian goals enshrined in the Constitution of our country cannot be attained through the efforts of administration only. If the total transformation in our traditional and backward society is to fake place rapidly, the tendency of our people to rely on government administration for fulfilment of each and every need will have to be abandoned. Public must shed away its negative role and adopt positive role. The aspirants of progress and prosperity cannot hold apathetic attitude towards their own issues of development. They cannot remain detached from and indifferent toward activities of the democratic government. Their initiative, interest, wholehearted support and active cooperation together with direct participation in governmental activities must be mustered behind the enormous efforts of our public administration.

The success of the administration depends upon the involvement, commitment, dedication and sacrifice with which the public servants put their efforts for the welfare of the teeming millions in the country. The administrators should see that they interact with the common people, especially those from rural areas because it is them who need the administrators most. In this regard, following has been rightly noted by Hota Committee- "Introduction of sophisticated technology alone would not make the administration people-friendly unless higher civil servants' have a proactive attitude and reach out to the common people. They must spend much more time in field visits, inspections, tours and night halts in remote and rural areas."

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Case Study J

Mr. X is posted as a Deputy Commissioner of Police (DCP) in suburbs of Mumbai, Maharashtra. The shopkeepers of a nearby market complex, which lies in the area of Mr. X, are facing the problem of extortion. They have to give a fixed amount for their earning to a local goon, who extorts money from them by threatening them of dire consequences, even loss of life. The shopkeepers, due to fear, did not prefer to report the matter to the police station as they feel that police is unable to protect them and their family. Mr. X comes to know about this problem of shopkeepers through one of his sources. He also comes to know that the goon has the support of an influential politician, who belongs to the ruling party in Maharashtra. In the lack of initiatives taken by shopkeepers, it is difficult for Mr. X, to gather enough evidence against that goon. Under these circumstances what are the options available with Mr. X to deal with the issue? Is it correct for him to leave the issue unnoticed till shopkeepers come to him for registering of complain?

This case comes under the following topics:

- Moral and Political Attitudes
- Social Influence and Persuasion
- Tolerance and Compassion towards Weaker Section
- Conscience as a Source of Ethical Guidance
- Work Culture

Premise: The given case pertains to the relation between police and public. The lack of faith in the police has deterred those in problem (shopkeepers) to register the case. In the lack of evidence, it is difficult for the police officer to gather evidence against the goon as none of the shopkeepers is ready to give statement. The case also highlights the work culture of police and their ability of social persuasion. That the goon is having the support of an influential politician, the case also represents the dilemma of a police officer to act against him, especially in the lack of evidence.

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This also exemplifies the politicization of crime.

Answer: Police is the primary agency to maintain law and order. It has the duty to ensure that rule of law and those responsible for its violation should be brought in the court of law. In this light, it can be clearly argued that the first and foremost role of policing is to work of a crime-free society where everyone can live with peace and harmony.

In this light, it is clear that it is the duty of Mr. X to take the Issue seriously and work for the resolution of the problems faced by the shopkeepers. So it Is needless to say Ehat he can't let the issue unnoticed and wait for shopkeepers to reach him with complain. Bui the problem faced by him is that shopkeepers are unwilling to register the case and any suo moto interference without any evidence can invite disciplinary actions against Mr. X. Besides, his conduct can be questioned which may affect his service records. Moreover he would also face political hurdles as the goon enjoys the support of an influential politician belonging to the ruling party. Under these circumstances, the following course of action can be best suited to Mr. X:

- As an immediate step, Mr. X should deploy some police officers in the area to verify the truth of the fact, as taking any action without adequate knowledge would be against the rule of law.
- Once verified, Mr. X should meet with the Representatives of Association of Shopkeepers in that area and assure them that police is for their protection only. If possible he should try to talk with the shopkeepers directly, through the Association.
- The role of Association is important here, because the case highlights that shopkeepers lack faith in police and any attempt of direct talk may result in the failure.
- As the politician from the ruling party is involved, Mr. X should also convey the case to his superiors and take their advice on the matter that how they had dealt such cases, if any, in the past.

- The key in solving the issue lies in persuasion of shopkeepers to register the complaint against the goon, without any fear If Mr. X is unable to do this, he should try to collect evidence with the help of some of the local persons (not shopkeepers).

- He may seek help from media but this should be done with utmost care as it may impact the image of the politician and hence the party in power. Any such attempt, without adequate evidence is detrimental to the service record of Mr. X.

- Once the evidence is gathered, he should take strict action against the goon by arresting him without fear or favour. This would establish a good reputation of police among public.

- In the long term, Mr. X should also work to enhance the police-public relations, citing the prevailing situation. A good public-police relation is key to crime-free society and effective policing.

Case Study il

You are the head of the Panchayar in a village of Haryana. A boy of lower caste, belonging to your village, has fled with the daughter of an upper caste landlord. Both were in love and wanted to marry but the caste conflict prevailing in the village was the biggest hurdle to them. Both families were at crossroads On this issue. So they planned to marry in the court of the nearby city and then came back to village. After their return to village, they met you before meeting the family members. On account of your position in village, they requested you to convince Ihetr family members. The village has witnessed many caste conflicts and honour killings in the past on accounL of such incidents. You know that the matter may aggravate caste related tensions. Under this circumstance, what are the possible courses of action available to you? Is it correct for you to ask the newly married couple to leave the village immediately and help them in the same? Come

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out with the best possible step, which you feel should be token by you as a Village Headman.

Premise: In the given case, the dilemma faced by you is two-fold. If you choose to inform the family members of the couples about their return, the life of the couple would be under threat. On the other hand, if you try to convince the family members, your position as a village headman will be in jeopardy, given the prevailing social customs in the village. Moreover, the situation may give rise to another caste related tensions.

This case comes under the following topics:

- Morality
- Social Aptitude
- Conscience as a source of Ethical Guidance
- Human Values

Answer: A village headman is a public authority. He has a dual role to play. He has to uphold the social customs of the village community and at the same time he has to ensure that the custom of the village should not be in contravention of the rule of law. In this sense, he acts as a link between village and State authorities. In this light, it can be clearly argued that first and foremost duty of Village headman is to secure the life of the couple and provide them safe environment in village with proper dignity. He also has to ensure that, on account of this, no caste related tensions takes place. For this, he can go for following courses of actions:

- As a first step, he should call the meeting of Panchayat members along with some reputed village elders if any, discuss the issue with them and try to take them in confidence for acceptance of the couple.

- Along with members, he should decide the date to convene village assembly, where he would discuss the matter among members of village community.

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- Citing the possibility of occurrence of caste related tensions, before convening the assembly, he should meet with the concerned District Collector and narrate him the entire issue. He should then ask for deployment of police force on the date of convening of assembly.
- This is necessary in order to ensure that village assembly should be convened peacefully irrespective of the final decisions taken.
- He should also ask the Collector to provide adequate security to the couple as the village has witnessed many instances of honour killings.
- He should aiso seek the help of local NGO, who is actively involved in the development of village and has a good reputation among members of village community. This would make It easier for him to convince the village members regarding acceptance of couple,
- Mere asking the couples to leave the village would not solve the core problem as the case may get repeated in the future. Moreover, even if the couple leaves the village, possibilities of caste related tension would prevail in the village.

The Constitution of India guarantees liberty and equality to citizens. Putting restriction of the private decisions in the name of social customs amounts to violation of the rights conferred by the Constitution. As pointed out by the Supreme Court of India, in the absence of liberty, democracy would fait to realize its true meaning.

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UNIT

3

Aptitude and Foundational Values for Civil Service

After reading this chapter you will be able to understand

- Values and Public Values
- Importance of values
- What is aptitude
- Conceptual understanding of each value
- Integrity
- impartiality and non-partisanship
- objectivity
- dedication to public service
- empathy, tolerance and compassion towards the weaker sections
- Significance of values for Civil Service

Why are Values Important?

Values are essential components of organisational culture and instrumental in determining, guiding and informing behaviour For civil services, adherence to high-level public service values can generate substantial public trust and confidence. Conversely, weak application of values or promotion of Inappropriate values can lead to reductions in these essential elements of democratic governance, as well as to ethical and decision-making dilemmas.

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In spite of the enactment of laws, rules and regulations to ensure impartiality, honesty and devotion among the civil service, there still remains a vast area of administrative discretion which cannot be controlled by formal laws, procedures and methods. In such areas, says Otto Kircheeimer, "no supervision from above can be as effective as an automatic control on the minds of those possessing it and creating standards of efficiency as well as honestyAny deviation from the common standards under such circumstances is likely to be discovered sooner or later and rooted out/[1] In the words of McCanny, in all such areas "they must answer to their own conscience, to their own senses of dignity and pride, to the opinions of their fellow-men and above all, to their devotion, to their own honest effort to define the total welfare and to serve it\

Values for Civil Service

There are obvious constraints to attempts to prescribe values which public services should adopt, given the variety of historical, social and cultural forces at play in different parts of the world. But according to Second Administrative Reform Commission, integrity, dedication to public service, impartiality, political neutrality, anonymity, etc. are said to be the hallmarks of an efficient civil service. The Commission is also of the opinion that in addition to commitment to the Constitution these values should include:

a. Adherence to the highest standards of probity, integrity and conduct

b. Impartiality and non-partisanship

c. Objectivity

d. Commitment to the citizens' concerns and public good

e. Empathy for the vulnerable and weaker sections of society.

The public servant's duties today remain many, complex and often seemingly contradictory. This is reflected in the values and principles underpinning those duties - including maintaining

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confidentiality, acting in the public interest, providing quality advice, avoiding conflicts of interest, ensuring accountability to a range of actors and treating all colleagues equitably.

In performing each of these tasks, public servants employ a range of values as a means to guide their behaviour and to assist them in steering a course through multiple requirements. Therefore clarity over an organisation's values is essential and the appropriateness of a particular value-system is worthy of regular consideration in the context of changing expectations and functions. Poor clarity or uncertainty about values can not only lead to ethical and decision-making dilemmas, but also affects organisational coherence by diminishing team spirit, creating organisational confusion and weak external communication.

While a core set of public service values is necessary, it is also true that different values will also apply to different parts of the public service. For example, a distinction may be made between technical, regulatory and administrative tasks, or between those parts of a bureaucracy In direct contact with the public and those which are not.

The values most commonly associated with public service are:

- Honesty and integrity
- Impartiality
- Respect for the law
- Respect for the persons
- Diligence
- Economy and effectiveness
- Responsiveness
- Accountability

Values and Public Values

The term value generally refers to the worth of something; in government, public value refers to an appraisal of what is created and sustained by government on behalf of the public. The notion of creating public value is most frequently attributed to Moore who argues that the aim of managerial work in the public sector is to create public value just as the aim of managerial work in the private sector is to create private value.

In government, public values are those values that provide normative consensus about:

- the rights, benefits, and prerogatives to which citizens should (and should not) be entitled;
- the obligations of citizens to society, the state, and one another; and
- the principles on which governments and policies should be based.

Public value is created when policy and management strategies are politically legitimate, feasible, and sustainable, operationally possible and practical, and of substantive value to the citizenry, according to Moore. In contrast, public value is destroyed when the wrong decisions are made about the needs to be satisfied, the strategies to satisfy the selected needs, and the processes to produce and deliver services.

Today, the notion of creating public value has become part of an overall managerial philosophy wherein public services are oriented toward outcomes that meet local needs and are authorized by service users and their communities.

In contrast, 'values' are complex personal judgments based on knowledge as well as an emotional reaction. They are emotion-cognitive assessments that are relatively stable and guide behaviour.

Public Values Pluralism

Public values pluralism suggests that several values and value orientations can simultaneously exist in society, all of which may be equally valid, correct, and fundamental. Moreover,

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incompatible values may also be incommensurable, in that they cannot be objectively measured, compared, or ordered in term? of importance. There can be little argument that public administration is characterized by a plurality of sets of values and a multiplicity of value systems that are often in conflict with tine another

For example, there are many public values and sets or clusters of public values, such as impartiality and lawfulness on the one hand, and efficiency and effectiveness on the other, that one might consider to be intrinsically contradictory or even hybrid. Likewise, the pursuit of liberty can become incompatible with the pursuit of equality, the pursuit of justice with that of mercy, and the pursuit of spontaneity with that of security.

Values Training

Though the Informal communication of values is of great importance, formal methods of developing values offer substantial benefits. The most well-known formal method is induction courses for new staff involving case-studies and role-play scenarios. The centrality of values to all aspects of public service work should be demonstrated and values statements analysed and expanded on.

Values seminars and workshops offer employees the opportunity to explore the meaning and practical application of values to everyday workplace scenarios. They also help to develop employees' awareness of the organisation and how it can achieve its objectives within a value-bounded framework of activity. Indeed the process of defining and examining the values of an organisation provides an opportunity for staff engagement in the development of the future direction of the organisation. The role of values should also be integrated into existing management training and development courses.

An oftenaʌverlooked element to values training is the need to demonstrate dear methods by which values conflicts can be managed or what avenues public servants should pursue in order to resolve ethical dilemmas without fear of negative personal

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consequences. Values conflicts should not be regarded as detrimental to an organisation and learning to cope with such conflicts is part of good public management.

Aptitude

An aptitude is a component of a competency to do a certain kind of work at a certain level, which can also be considered "talent". It is the ability to deal with aspects of the environment and to perform a particular behaviour. Aptitudes may be physical or mental.

Aptitude is also defined as the aptness or quickness to succeed in a specific field of activity. It is a present condition that is indicative of individual's potentialities for future. Thus, aptitude implies the prediction about the individual's future performance.

Attitude and Aptitude

Attitude is the manner, disposition, feeling, position, etc., with regard to a person or thing. It is the way you think about any particular person or thing. 'Aptitude' is a capability or talent innate or acquired for performing some particular task. If you have an aptitude for languages, for instance, you can learn them faster than other people.

Attitude has to do with the character and aptitude has to do with competence. Character is relatively permanent whereas aptitude can be changed and developed.

In public administration, the difference may be understood by the following example: An administrator may be very good in problem solving (aptitude part) but may have the tendency to procrastinate the decisions (attitude part). Also, an administrator may have a good aptitude in resolving the communal issues (aptitude part) but may have a negative attitude towards a particular minority (attitude part) which will naturally influence his overall decisions.

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Attributes of a Good Administrator

Paul H Appleby in his report (1961) 'Public Administration for a Welfare State', mentioned following attributes of a good administrator-

- Willingness to assume responsibility.
- A steadily enlarging ability to deal with more problems.
- A strong bent toward action.
- A good listener.
- Effective with people.
- Capacity to build his own strength by building the competence of his organization.
- Capacity to use his institutional resources.
- Avoiding using power or authority for their own sake.
- Welcoming reports of troublesome things.
- A good team-worker.
- A good initiator.

Integrity

Integrity indicates soundness of moral principles, the character of uncorrupted virtues, uprightness, honesty and sincerity. According to Ministry of Personnel, "Consistently behaves in an open, fair and transparent manner, honours one's commitments and works to uphold the Public service values." Integrity in public affairs and administration is essential; and therefore there must be an insistence on it in every branch of public activity.

A fundamental rule for maintaining civil servants' integrity is to avoid situations which may give rise to a conflict of interest. The following guidelines are relevant;

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A. Never use your position in the civil service to benefit yourself or your family, relatives or friends, or any other group of people with whom you have personal or social ties;

B. Avoid being placed in a position of obligation to anyone by accepting excessive entertainment or favours such as free service, or indulging in games of chance with subordinates or other people with whom you have official dealings; and

C. Avoid putting yourself in a position that may arouse any suspicion of dishonesty, or of using your official position to benefit yourself, your family, relations or friends. For example, do not provide advice to any executive search firm if your official duties involve appointment and promotion. In procuring services or goods for your office, do not negotiate with a company in which you or your relatives hold shares. Follow prescribed tender procedures and declare an interest if necessary in the process.

D. Encourage others to consistently follow Public Service values

E. Treat people impartially, regardless of political, social, demographic, geographic, circumstances or bias

F. Enforce law, public service values and rules of conduct even in difficult situations

G. Have the courage and conviction to make and stand by the right decisions, even at significant personal cost

H. Provide honest and frank advice to uphold public interest

J. Ensure full disclosure, by sharing the political implications of the decisions being made

J. Challenge powerful and influential people, and hold them accountable to make the right decisions

K. Stand firm when dealing with unreasonable requests and demands

L Take accountability for own actions and create a cultures for others also to take accountability for their own actions

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To maintain integrity of the civil service, it is important that civil servants, even after they have left the service, should continue to conduct themselves in an appropriate manner as the activities which they take up would continue to be seen by the public as a reflection of the culture and character of the civil service. Retired civil servants should act with good sense and propriety in pursuing post-service employment or business and avoid engaging themselves in activities which could be construed as being in conflict with their previous duties In the Government, or might bring the civil service into disrepute, or expose them or the Government to public controversy.

Intellectual integrity: Intellectual integrity is defined as recognition of the need to be true to one's own thinking and to hold oneself to the same standards one expects others to meet. It also means to honestly admit discrepancies and inconsistencies in one's own thought and action, and to be able to identify inconsistencies in one's own thinking.

The opposite of intellectual integrity is intellectual hypocrisy, a state of mind unconcerned with genuine integrity. El is often marked by deep-seated contradictions and inconsistencies.

The appearance of integrity means a lot because it affects our image with others. Therefore, hypocrisy is often implicit in the thinking and action behind human behavior as a function of natural egocentric thinking. Our hypocrisy is hidden from us. Though we expect others to adhere to standards to which we refuse to adhere, we see ourselves as fair. Though we profess certain beliefs, we often fail to behave in accordance with those beliefs.

To the extent that one has intellectual integrity, one's beliefs and actions are consistent. One practice what he/she preach, so to speak.

The establishment and maintenance of integrity in public fife and public service requires a number of elements, including: legislation, regulations and codes of conduct; a society whose

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religious, political and social values expect honesty from politicians and officials; professionalism among officials; and a political leadership with the moral and political courage and will to take its responsibility, both public and private, seriously.

The observance of integrity is not a simple thing, if it is practiced properly and conscientiously, it will protect the society from many of its venomous ills. As Sardar Patel said, "You will not have a united India if you do not have a good All India Service, which has the independence to speak out its mind and which has a sense of security. I need hardly emphasize that an efficient, disciplined and contented service assured of its prospects as a result of diligent and honest work is the sine qua non of sound administration under a democratic regime, even more than under authoritarian rule". Thus, integrity needs to be given much importance especially in the public life so as to have a harmony in the society.

Impartiality

Impartiality means acting solely according to the merits of the case and serving governments of different political parties and the general public equally well and in the same spirit.

Impartiality requires public servants to refrain from opinions, positions or actions that demonstrate a bias toward or against a particular cause or course of action, including the defence of government policies. In analyzing options, public servants will consider the best evidence-based knowledge. They will base their recommendations on the desired outcomes and implement the decisions lawfully taken by ministers, even if these decisions differ from the advice or recommendations provided. Apolitically impartial public service supports the government of whichever political party the electorate chooses.

Political Patronage

It refers in general to the awarding of benefits and privileges

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in exchange for political support. Although the individual public servant may be competent and possess the required merit criteria, political patronage refers to the awarding of benefits in exchange for political support.

Benefits and privileges can refer to a number of things, including the awarding of contracts, preferential consideration in grants and contributions, and appointments to boards and commissions. However, political patronage generally refers to political influence in hiring and promotions in the public service.

Partisanship

Partisanship is the act of supporting a party, person or cause. Partisanship refers in general to actions supporting or opposing political parties or biases. Although the primary concern for the public service is "political partisanship", other types of partisanship should not be dismissed (e.g. support for an interest group or cause that is not attached to a particular political party).

Significance of Impartiality and Non-partisanship

An impartial and non-partisan public service makes responsible, democratic government work by-

- ensuring objective and evidence-based advice which ministers can use in establishing policies and programs for general public;
- providing the information ministers need to fulfil their accountability role to Parliament and the public;
- delivering services in an effective manner;
- managing resources and programs effectively;
- ensuring a legal and constitutional transition when democratic processes result in new administrations; and
- ensuring that, once professional advice is given, there is a competent and able execution of those decisions, lawfully made.

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Political Neutrality

It means that the civil service should give free and frank advice to the government impartially and without any political consideration. It also means the implementation of the decisions of the government by the civil service faithfully whether such decisions were in consonance with their advice or not.

The concept of neutrality is emphasised to generate-

Public confidence in the administrators against political influences;

Trust among the ministers that their orders would be faithfully carried out irrespective of their ideology; and

Keeping of an atmosphere of appraisals and promotions in the civil service which would be free from political influence.

However, it should be noted that complete neutrality may not be required in public affairs. The administrator should act to maximize the public interest. The administrator should be sensitive to the needs of the general public and is supposed to intervene in public matters if the proposed poiicy falls short of the expectations and requirements of the people at large.

Political Neutrality and Code of Conduct Rules

With the avowed purpose of maintaining integrity, discipline and political neutrality, the Civil Services Conduct Rules lay down the code of conduct for the civil servants:

* No member of the Service shall be a member of, or associated with any political party or any organization which takes part in politics, nor shall he take part in, or subscribe in aid of, or assist in any other manner, any political movement or political activity.

- it shall be the duty of every member of the Service to endeavour to prevent any member of his family from taking part in or subscribing in aid of or assisting in

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ary other manner, any movement of, activity which is, or tends directly or indirectly to be subversive of the Government as by law established, and where a member of the Service is unable to prevent member of his family from taking part in or subscribing in aid of, or assisting in any other manner, any such movement of activity, he shall make a report to that effect to the Government.

* No member of the Service shall canvass or otherwise interfere with, or use his influence in connection with, or take part in, an election to any legislature or local authority.

- A member of the Service qualified to vote at any such election may exercise his right to vote but where he does so he shall give no indication of the manner in which he proposes to vote or has voted.

# No member of the Service shall, in any radio broadcast or communication over any public media or in any document published anonymously, pseudonymously or in his own name or In the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion-

  - Which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government; or
  - Which is capable of embarrassing the relations between the Central Government and any State Government; or
  - Which is capable of embarrassing the relations between the Central Government and the Government of any Foreign State.

Objectivity

The principle of objectivity implies that the decisions and actions should be based on observable phenomena and should not be influenced by emotions, biases or personal prejudices.

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Empathy

Empathy refers to the ability to imagine oneself in another's place and understand the others' feelings, desires, ideas, and actions. In other words, empathy is about being able to accurately hear out and understand the thoughts, feelings, and concerns of others, even when these are not made explicit. The ability to empathize is directly dependent on your ability to feel your own feelings and identify them. It means in order to empathize with others, we need to become aware of what we are actually feeling to acknowledge, identify, and accept our feelings. Only then we may empathize with others.

To become empathetic to others, one need to:

- Demonstrate active listening skills (such as asking probing questions, not interrupting)
- Recognise body language, facial expression, and/or tone of voice to understand the unspoken message
- Recognise unexpressed or poorly expressed thoughts, concerns, and feelings
- Pick up signals when others are not feeling comfortable and display consideration

Significance of Empathy

Empathy is widely recognized as a universal virtue, closely related to many other virtues, such as love, compassion, kindness, tolerance, respect, and acceptance. It is promoted as the empathy is the cornerstone for moral and character development. It is also essential for working towards inclusiveness in society. As an individual, we need empathy to survive and succeed in this complex world.

Sympathy and Empathy

Sympathy and empathy are separate terms with some

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differences. Sympathy and empathy are both acts of feeling, but with sympathy you feel for the person; you are sorry for them or pity them, but you don't specifically understand what they are feeling. However, in empathy, to an extent you are placing yourself in that person's place, have a good sense of what he feels and understand his feelings to a degree,

Tolerance

Tolerance or toleration is a fair, objective, and permissive attitude toward those whose opinions, practices, race, religion, nationality, etc., differ from one's own; freedom from bigotry. In other words, tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought, conscience and belief. Tolerance is harmony in difference.

Significance of Tolerance

Tolerance is the responsibility that upholds human rights, pluralism, democracy, harmony and the rule of faw. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments. Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to five in peace and to be as they are. it also means that one's views are not to be imposed on others.

Compassion

Compassion is the understanding or empathy for the suffering of

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others. More involved than simple empathy, compassion commonly gives rise to 'an active desire to alleviate another's suffering'. Compassion involves a sense of empathy. It does not end with pity. It invokes sensibilities to understand and even feel the pain of others and motivates one to be truly helpful in overcoming this pain.

The English noun compassion, meaning to suffer together with, comes from Latin. Ranked as a great virtue in numerous philosophies, compassion is considered in almost all the major religious traditions as among the greatest of virtues.

Characteristics of 'compassion' can be understood by noticing that someone who is compassionate:

* Has an active desire to alleviate another's suffering.
* Helps others because he wants to, not because he has to.
* Understands the feelings of others.
* Shows empathy towards another person.
* Shows kindness without expecting anything in return.
* Recognizes and helps others that are less fortunate than himself.

Empathy and Compassion

Empathy is a form of compassion and it is important because otherwise you could care less about what others are going through. When you can directly relate to something someone is going through, it will sometimes give you a drive and motivation to help that person especially if what you went through was also a traumatic event for you. You cannot just sit back and watch someone else go through it and possibly have the same outcome as you had. Thus, empathy is closely related to compassion, but empathy precedes compassion and is a pre-requisite for compassion.

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Significance of Compassion in Civil Services

Feeling compassion is one thing; acting on it is another. Compassion is deeply rooted in human nature; it has a biological basis in the brain and body. Humans can communicate compassion through facial gesture and touch, and these displays of compassion can serve vital social functions, strongly suggesting an evolutionary basis of compassion. And when experienced, compassion overwhelms selfish concerns and motivates altruistic behavior.

The attribute of being compassionate is of immense value for a civil servant. Since a compassionate civil servant is able to deliver the services efficiently and address the concerns of weaker sections, it is considered as one of the most important attribute.

A compassionate civil servant:

* Understands the needs of the marginalised and disadvantaged, along with the needs of the wider public
* Strives to respond quickly to meet their needs in a respectful, helpful and responsive manner
* Reports issues that affect service delivery, where necessary
* Addresses all the issues of the citizens in an unbiased manner
* Ensures that levels of service are maintained – highlights risks or concerns in order to meet community requirements
* Understands the vaiue of an affirmative action towards the marginalised and disadvantaged
* Actively seeks information from ail sections of community to understand their needs and expectations
* Is accessible to all citizens and seeks their feedback to develop a clear understanding of their needs and outcomes
* Establishes mechanisms to address feedback from the community about the service provided

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- Involves a diverse range of staff members, stakeholders, and delivery partners while developing implementation approaches in order to provide clarity on the benefits to the disadvantaged and to improve the quality of service provided to the citizens
- Understands issues from others' perspective, particularly the disadvantaged

Rule of Law

Rule of law indicates that no branch of government is above the law, and no public official may act arbitrarily or unilaterally outside the law. This requirement is sometimes explained with the phrase "no one is above the law".

Rule of law is also regarded as a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and Independently adjudicated. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law and accountability to the law.

Equity and Equality

Equality is usually taken to mean that everyone should be treated the same {due to the fundamental equality of at! persons}, whereas an equity approach holds that groups and individuals should be treated according to their particular circumstances and requirements. Equity recognizes that some people have to overcome obstacles to access resources or opportunities (obstacles like illiteracy, perpetual poverty, remote areas, and place in social hierarchy). Therefore, according to equity principle, groups can be treated differently in the application of policy or the law, so as to compensate for these obstacles, and to produce just or fair outcomes.

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Cose Study I

You are the Director of the CBJ and an allegation has been made on your conduct by an eminent person. The proof for the same is also available. The allegation relates to your meeting with some persons at your residence, which you know are quite influential and are related to the case, which is being investigated by the officers under you. You are supervising the case and ane acquainted with each and every details of the case. The allegation on you put your impartiality and integrity in question. What would be your reaction? Analyse the situation by giving justification that how far it is correct for a public servant to meet the persons who are related to the case his agency is investigating?

Premise: In the given incident, the Director of the topmost investigating agency of India has been blamed of meeting the persons related to the case, which the officers junior to him are investigating. This gives rise to concern related to the conduct of civil servant. The question arises here relates to the difference in personal and professional life of a Bureaucrat, the ethical behavior of his and the impartiality in his action.

This case comes under Ihe following topics:

- Foundational Values of Civil Services
- Impartiality
- Integrity
- Public Service Values
- Ethical Conduct

Answer: The conduct of a senior bureaucrat, like the Director CBI, defines the working culture of the organization. Central Bureau of Investigation is the premier investigating agency of India. It investigates the high profile cases, more often related to those manning the top echelon of the society and to those who define the power structure of the society. Any unethical conduct by top officer of this agency gives rise to the serious concern as it may

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jeopardize the neutrality of the investigation process, thereby giving a blow to criminal justice system.

In the aforesaid case, since the allegation has heen made by an influential person, who is a known activist of an NGO fighting against corruption, raises the legitimacy of the case. That the proof for the same is also available makes the allegation stronger. Under these circumstances a bureaucrat, especially when he is heading such an agency, can take different course of actions.

Each and every details of the case is available with the Director CBI. His meeting with influential person related to the case, whatever the reason may be, prima facie gives an impression of an attempt to influence the investigation process. Since the Director is at the apex of CBI, any attempt to tarnish his image is a direct attack on the agency's integrity. So, a statement clarifying the facts related to these allegations shall be issued, as a first step, from the side of Director. If needed, the Director should let an enquiry commission set up either by the government or by the judiciary, for independent investigation in the matter Moreover, if he knows that allegation made against him are true, although his intention was not bad, he should clear the facts associated with the purpose and reasons of meeting.

The question that to what extent the meeting of Director of CBI with these persons is justified can be better judged on the basis of existing provisions. The new government has issued a revised code of conduct for bureaucrats that require them to bo politically neutral, honest, and impartial and maintain high ethical standards. The amended rules state that every member of the All India Services, which includes the IAS and IPS, shall be courteous and responsive to the public, particularly the weaker sections, and ensure accountability and transparency in discharge of his duties. The AH India Services (Conduct) Amendment Rules, 2014 states, among other things, that every member of the service shall take decisions solely based on merit and in public interest and use public resources efficiently, effectively and economically.

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Clearly, under these circumstances a meeting of this kind is a direct question on the ethical conduct and impartiality of public servant. However, there is another aspect to look into the issue. CBf Director is a public authority and every citizen of India, including those related to accused has equal rights to meet with him. Such meeting may relate to the grievance of the accused or dissatisfaction from the way of investigations or other such things. Civil Services Code says that any such meeting, related to official purpose shall be done under official capacity, for which office of Director is the best suited place and not the residence. The violation of this conduct is the manifestation of misusing the position to take decisions that seek to derive financial or material benefit for himself, his family or friends.

Stressing on the need for confidentiality in key government matters, the code of conduct make civil servants liable to maintain confidentiality in performance of their duties as required by the laws, particularly where the information or disclosure may prejudicially affect the security of the State, strategic, scientific or economic interests of the State, friendly relations with foreign countries or lead to incitement of an offence or illegal or unlawful gains to any person. A civil servant is expected to perform his duties with a high degree of professionalism; uphold supremacy of the Constitution; uphold sovereignty and integrity of India, the security of the State, public order, decency and morality; maintain integrity in public service; act with fairness and impartiality and not discriminate against anyone, particularly the poor and under-privileged sections; and maintain discipline in discharge of duties and be liable to implement lawful orders duly communicated to them.

Case *Study* fl

Chandan was a young, idealistic Chief Executive Officer (CEO) in a district panchayat. After joining his job, he carefully studied the social and economic situation in the district. He looked at various reports and materials about the problems of the district. He gathered data on the stage of development of the district, its

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agricultural and industrial progress and its future growth potential. He noted **that** as the district was covered under intensive agricultural programmes, and as it bad irrigation facilities, its agricultural sector was progressive. State government schemes for incentives had led to growth of many industries in the district. Its agricultural and industrial growth created reasonable infrastructure.

The district, however, lagged in human development indicators. The birth rate was high. Unfortunately, the infant mortality rate was high. Female literacy was way below the national average. School enrolment was poor, and the dropout ratio was high. Female sex ratio was also low. Based on these indicators, Chandan concluded that the panchayat should give the highest priority to social sector programmes in its budget.

The panchayat was an elected body. The budget is approved by its general body which consists of all its members. Chandan tried to convince the panchayat that the highest allocation in the budget should be made for social sector development. However, the general body decided to spend 40% of its budget on minor irrigation. Chandan felt that the large allocation to minor irrigation projects will benefit land owning farmers and **Starve** other social programmes. He, therefore, asked the officers to surreptitiously divert money to social welfare programmes.

Question: In the given case, an idealistic officer after joining the job carefully studied the socio-economic scenario of the district. He found that the economic scenario of the district was progressive as the agricultural and industrial growth had created reasonable infrastructure. But the district had very dismal social sector development. He wanted to convince the general body of the Panchayat to allocate more fund to the social sector but the Panchayat decided to spend the major portion of the fund on minor irrigation. As a result of this, the CEO took an unwarranted action. Do you think Chandan violated service code of conduct by asking his officers to allocate fund "surreptitiously"? Can service code of conduct be compromised in favour of ethical acts? What would you have done if you had been in the situation of Chandan? Do

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you think Chandan might have gone through ethical dilemma? If yes in what kind of ethical dilemma he might have gone?

This case comes under the following topics:

- Violation of Official Code of Conduct
- Honesty and Integrity
- Transparency
- Ethical Dilemma

Answer: Even the good ends can never justify the unethical and questionable means, though Chandan's objective was for public good however he employed questionable means by asking the officers to surreptitiously allocate the funds to social sector. In this way he not only violated his service code of conduct rules which are unambiguously dos and don'ts for every public official but also jeopardized his and subordinates' professional integrity. He presumed that allocation in agriculture would help only big land owners; here objectivity could play a vital role which Chandan did not apply. An administrator should not be carried away by his emotions, biases and personal prejudices. It is also true that an administrator should be compassionate for the weaker section of the society. But, compassion should be a good blend of integrity, empathy and objectivity. In the given case, Chardan's concern was genuine but highly prejudiced and his action was questionable.

Moreover, Chandan acted contrary to the provisions under the 73rd Constitutional Amendment Act, 1993, which attaches great importance to the capacity building of elected representatives and officials of PRfs as well as functionaries involved in the development programmes securing economic development and social justice in their respective areas. It is the democratically elected Panchayat who constitute planning committee and allocate the funds depending upon its priority. By asking his officers to allocate the fund surreptitiously, Chandan created a conflicting situation. Under 73rd Constitutional Amendment Act, a bureaucrat is not a policy formulating agent but a facilitating agent who is supposed to supervise the implementation of scheme.

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In this situation, it is very important to create awareness and provide innovative ways to Panchayat to navigate through the crisis of poor social infrastructure. Innovative ways, informed citizenry, effective implementation and alignment of people to a goal can overcome the inadequacy of funding.

Indeed in such an undesirable situation, Chandan might have gone through ethical dilemma and had limited choices between competing sets of principle. One, as an administrator he should try to improve the educational and health standards of the weaker section of the society. Second, as an administrator he is duty bound to follow the decisions of the elected leaders. Otherwise, his action will be considered as violation of official code of conduct.

As described in the passage, he was idealistic and was concerned about the poor performance of human development indicators and indifferent attitude of Panchayat in terms of financial adequacy to improve the situation and his futile attempt to convince the Panchayat led him to bypass service code of conduct.

He could have avoided aforesaid situation by anticipating alternate tools to improve the social infrastructure. However, he chose the way which violated service Hide of conduct and created suspicious working climate by involving his officers. He knew that, this is not the right way of allocating fund that is why he asked his officers to allocate funds secretly. The aforesaid logically cohesive line of thinking was in vein as he chose illegitimate, guise and unjust way; thereby Chandan was unable to bargain with his idealistic philosophy and practical feasibility of his action. He succumbed to his idealistic philosophy by assaulting on his best kept principles. Above all, the myopic view of his ability to pursue the cause on his own has further created a suspicion and jeopardized transparency in public discourse. It is point to be taken to heart that, for a public servant the foundational values like honesty, integrity and transparency are the basic ingredients of his ideological disposition to intervene in public discourse and work for common good. ■

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UNIT

4

Emotional Intelligence

After reading this **chapter you will he able to understand**

- What is Emotional Intelligence (EI)
- Utilities and application of EI in administration and governance
- What is Emotional Quotient
- Importance of EQ
- EI and Effective Leadership
- Future of EI is Bureaucracy
- Emotional Intelligence and Emotional Quotient in work place

Emotions

Emotion is an affective state of consciousness in which joy, sorrow, fear, hate, or the like, is experienced, as distinguished from cognitive and volitional states of consciousness.

Whereas, the term 'affective' is defined as something pertaining to feeling or emotions, especially pleasurable or unpleasurable aspects of a mental process.

Intelligence

Intelligence is a set of cognitive abilities which allow us to acquire knowledge, to learn and to solve problems.

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Emotional Intelligence

Emotional intelligence is the ability to perceive emotions, to assess and generate emotions so as to assist thought, to understand emotions and emotional knowledge, and to reflectively regulate emotions so as to promote emotional and intellectual growth (Mayer and Salovey, 19971.

According to Coleman (1998), "emotional intelligence" refers to the capacity for recognizing our own feelings and those of others, for motivating ourselves, and for managing emotions, well in ourselves and in our relationships.

In simple words, emotional intelligence refers to attributes such as understanding one's feeling, empathy for others, and the regulation of emotions to enhance one's life.

Background of Emotional Intelligence

Aristotle wrote about emotional intelligence in 350 BC, centuries before the term became popular. Although the term 'Emotional Intelligence' was first coined by two colleagues from Yale University, Peter Salovey and John Mayer, DanieE Goleman is responsible for the current popularity of the subject with his groundbreaking bestseller in 1995, 'Emotional Intelligence – Why it can matter more than !QJ (IQ here means Intelligence Quotient).

Why Emotional Intelligence?

EQ can lead one to healthy relationships and to have the ability to respond to the challenges of one's life and career in a positive manner.

Emotional Intelligence- Heart and Head Combined

It is important to understand that Emotional Intelligence is not the opposite of intelligence, it is not the triumph of head over heart - it is the unique intersection of both. Think about the

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definition of emotion, intelligence, and especially, of the three parts of our mind - affect/emotion, cognition/thinking, volition/ motivation. Emotional Intelligence combines affect with cognition and emotion with intelligence.

Emotional intelligence, then, is the ability to use your emotions to help you solve problems and live a more effective life. Emotional intelligence without intelligence, or intelligence without emotional intelligence, is only part of a solution. It is the head working with the heart.

Mayer & Salovey (Ability Model)

In the words of Mayer and Salovey, Emotional intelligence is the ability to perceive emotions, to access and generate emotions so as to assist thought, to understand emotions and emotional knowledge, and to reflectively regulate emotions so as to promote emotional and intellectual growth.

We tan see that there are four different areas as perceived by Mayer and Salovey in above definition-

- Perceiving Emotions- In order to properly understand the emotions, it is, first, necessary to accurately perceive them, in many cases, this might involve understanding non-verbal signals such as body language and facial expressions.
- Reasoning with Emotions- Reasoning with emotions involves using emotions to promote thinking and cognitive activity. Emotions help prioritize what we pay attention and react to; we respond emotionally to things that gamer our attention.
- Understanding Emotions- The emotions that we perceive can carry a wide variety of meanings. If someone is expressing angry emotions, the observer must interpret the cause of their anger and what it might mean. For example, if your boss is acting angry, it might mean that he is dissatisfied with your work; or it could be because he got a speeding ticket on his way to work that morning or that he's been fighting with his wife.

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* Managing Emotions- The ability to manage emotions effectively is a key part of emotional intelligence. Regulating emotions, responding appropriately and responding to the emotions of others are ail important aspect of emotional management.

Domains of El as Given by Daniel Goieman

Goleman gave five domains that delineate the parameters of emotional intelligence:

* Being self aware- The ability to recognize a feeling as it is happening is fundamental to EL If we are unable to notice our emotions, we can be overwhelmed and also flounder at the mercy of these strong feelings,
* Managing emotions- This rests upon self-awareness; once aware, we need to handie our emotions. The goal is to 'balance' the emotions, i.e., neither emotional suppression nor emotional excess. It is a continuous exercise and those who can handle emotions can fate life's upsets better and far more quickly than those who do not.
* Having self-motivation- Underlying the accomplishment of any sort of goaf is the ability to marshal our emotions in pursuit of that end. For creative tasks, focus and mastery (learning to delay gratification and stifle inappropriate desires} are important skills, and emotional control is essential.
* Recognizing the emotions of others- 'People' skills are based on a capacity for empathy and the ability to stay tuned to the emotions of others. Empathy kindles altruism and Ires at the basis of professions that deal with caring for others, such as teaching, management, and the healing arts.
* Handling relationship- Interpersonal effectiveness Is dependent on our ability to manage the emotions of others. Brilliant projects and Innovative Insights are often never realized because of a lack of social competence and leadership skill.

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Attributes of an Emotionally Intelligent Administrator

An emotionally intelligent administrator will possess the ability to-

- Handle conflicts constructively
- De-personalize from the angers of others
- Deal with uncertainty and change
- Identify and abide by core values and beliefs that shape the choices you make
- Understand and empathize with positions different from others
- To enroll people into his/ her vision
- Manage difficult/ unreasonable persons in all situations

Relevance of Emotional Intelligence in the Current Environment of Civil Services

Civil services today work in an environment that is beset with numerous problems, challenges, and even contradictions such as-

- Fast changing social structure and values.
- Increasing regional, economic and digital divide, rising population and unemployment.
- Inadequacy of basic necessities like housing and drinking water and infrastructure and so on.
- Increased awareness of the masses as well as existence of significant number of voiceless and marginalized poor.
- Widespread application of information technology which has helped the government on one hand, but has also put pressure on the government to "appear to be performing and in control of things*.
- The ?3rd and 74th Constitutional Amendments have led to decentralization of decision making and created a new class of politicians over the civil services.

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- There is an all pervasive demand for improved governance. A paradigm shift has occurred in the idea of governance, of what governments should do and also how they should govern. On one hand, governments are expected to move out of many areas, and on the other hand they are expected to perform multiple roles.
- There is, however, a consensus that government should perform better, be more responsive and transparent, and enhance scope for participation of people and civil society.
- Issues get politicized easily and quickly.
- There is an all pervasive and increased cynicism and contempt of politics and administration.
- Inner dissent and conflicts over policies, programmes and implementation thereof are more open and sharper.
- There is an increased tendency on part of the people to resort to agitation and aggression. The common man is no longer satisfied easily. Even a small instance can provoke people to indulge in harmful and destructive activities. Increase in the number of frustrated and disgruntled people has only added fuel to the fire.
- The administration itself is beset with many problems- political pressures, rampant corruption, obsolete and outdated methods, procedures and laws, Jack of avenues for growth, over-centralizaiton, self aggrandizement and so on.

Thus the work environment of the civil services is much more complex, demanding and even hostile at times. And given its present state, it is in no position to handle and tackle the problems in the old ways. Even the well intending civil servants cannot do much because all their energies are exhausted in **sheer** survival. **Herein** lies the role of Emotional Intelligence. The emotionally intelligent civil services can achieve a lot if they are professionally competent and positive in their approach.

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How can Emotional Intelligence Help Civil Services?

Emotional Intelligence (EI) can help in three ways at the workplace-

- To achieve amicable work environment
- Improvement in the behavior and performance of individual workers
- Improvement in organizational performance

Numerous organizations in public and private sectors have used EI and reported positive results. To name a few- US Air Force, US Navy, johnson and Johnson, Motorola and so on. In India, HPCL has used EI to create an environment that fosters emotionally intelligent leadership. As an initial measure it has trained frontline leaders and provided them with opportunities to put EI into practice.

Specifically, the awareness and the application of EI helps in the following manner-

- Greater interpersonal skills (crucial for good citizen centric administration)
- Increased capacity to handle-
    - Changes in work
    - Pressures and stress
    - Conflicts
- Ability to see the long term effects of one's actions/ attitudes
- Increased levels of commitment, trustworthiness and conscientiousness
- Being able to see things in a holistic manner
- Being able to bounce back from setbacks and maintain optimism
- Finding healthy ways to handle negative/ extreme feelings

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- Having greater motivation- achievement drive, initiative, persistence, motivating others as well
- Better ability to communicate
- Enhanced group dynamics in terms of cooperation, collaboration and building bonds
- Enhanced leadership traits, including the knowledge about when and how to lead, when to follow
- Ability to use win-win model for negotiations
- Ability to appreciate diversity and value for others
- Ability to perform multiple tasks due to better time and information management
- Greater focus
- Aware of but minimally concerned with and affected by office politics
- Not prone to aggression
- Ability to be a change catalyst

Emotional Quotient

Emotional quotient (EQ), also called emotional intelligence quotient, is a measurement of a person's ability to monitor his or her emotions, to cope with pressures and demands, and to control his or her thoughts and actions. The ability to assess and affect situations and relationships with other people also plays a rale in emotional intelligence. This measurement is intended to be a tool that is similar to intelligence quotient (EQ), which is a measurement of a person's intellect

Importance of EQ

EQ is an indicator of the accomplishment in the formation, maintenance and enrichment of both personal and professional

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relationships which manifests through the following aspects of an individual.

Physical Health: The ability to take care of our bodies and especially to manage our stress, which has an incredible impact on our overall wellness, is heavily tied to our emotional intelligence. Only by being aware of our emotional state and our reactions to stress in our lives can we hope to manage stress and maintain good health.

Menial Well-Being: Emotional intelligence affects our attitude and outlook on life. It can also help to alleviate anxiety and avoid depression and mood swings. A high level of emotional intelligence directly correlates to a positive attitude and happier outlook on life. It results in the the ability to stay calm in stressful situations and helps deal with the negative emotions. In order to change the way one feels about a situation, one must first change the way one thinks about it.

Relationships: EQ reflects the ability to read others cues, to accurately perceive and understand others emotional, physical and verbal expressions. By Letter understanding and managing our emotions, we are better able to communicate our feelings in a more constructive way. We are also better able to understand and relate to those with whom we are in relationships. Understanding the needs, feelings, and responses of those we care about leads to stronger and more fueling relationships.

Conflict Resolution: When we can discern people's emotions and empathize with their perspective, it's much easier to resolve conflicts or possibly avoid them before they start. We are also better at negotiation due to the very nature of our ability to understand the needs and desires of others. It's easier to give people what they want if we can perceive what it is.

Success: Higher emotional intelligence helps us to be stronger internal motivators, which can reduce procrastination, increase self-confidence, and improve our ability to focus on a goal. It also

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allows us to create better networks of support, overcome setbacks, and persevere with a more resilient outlook. Our ability to delay gratification and see the long-term directly affects our ability to succeed.

Leadership: The ability to understand what motivates others, relate in a positive manner, and to build stronger bonds with others in the workplace inevitably makes those with higher emotional intelligence better leaders. An effective leader can recognize what the needs of his people are, so that those needs can be met in a way that encourages higher performance and workplace satisfaction. An emotionally savvy and intelligent leader is also able to build stronger teams by strategically utilizing the emotional diversity of their team members to benefit the team as a whole.

EI and EQ in the Work Place

The workplace is about people and relationships, and an employee with a high EQ as opposed to only a high IQ should be seen as a valuable asset. Coleman made strong claims about the contribution of emotional intelligence to individual success, and specifically to success in the workplace. He identified intellectual intelligence as contributing 20 per cent towards life success and intimated that the remaining 80 per cent may be attributable to emotional Intelligence.

Examples of using Emotional Quotient (EQ) at work place include the following-

- Recruitment- EQ measurement is Invaluable in selecting and recruiting desirable and high-performance workers.
- Predicting Performance- Some organisations are blending IQ testing with scientific measurement of EQ to predict job performance and direct workers to jobs where they are most likely to succeed.
- Negotiation- Whether you're dealing with a trading partner, competitor, customer or colleague, being able to empathize

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and be creative in finding win-win solutions will consistently pay off.

- Performance Management- 36CKiegree feedback is a common tool for assessing EQ. Knowing how your self-perception compares with others' views about your performance provides focus for career development and positive behavioural changes.
- Peer Relationships- Good networking skills are a staple of job effectiveness for the average worker. Networking has too often been associated with "using" other people, but a heightened EQ ensures a mutually beneficial approach to others.

A balanced EQ among employees build conducive work relationship with colleagues and managers. Employees tend to perceive challenges optimistically, as an opportunity for betterment rather than a threat of impediment. For example, an employee with higher EQ understands that her/his manager's decision is not only her/his own opinion rather a reflection of the shared view of the entire organization. Managers understand the non verbal cues of the subordinate. Their feelings are combination of reason, logic and reality, in this environment employee intrinsically motivated to their work, they assume accountability of their mistakes, instead of "finger-pointing" or "passing the buck" or others.

There are three intrapersonal and two interpersonal EIs that matter most in the domain of Organizational Behavior. These are:

Intrapersonal

Self-Awareness: The ability to recognize and understand ones moods, emotions and drives, as well as their effect on others

Self-Regulation: The ability to control or re-direct disruptive impulses and moods and the propensity to suspend judgment and think before acting

Motivation: A passion to work for reasons and a propensity to pursue goals with energy and persistence

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Interpersonal EQ

Social Skills – A proficiency in managing relationships and building networks to move people in the desired direction

Empathy – The ability to understand the emotional make up of other people and considering other's feelings especially when making decisions

Example: How EQ Can Facilitate Change Management

Change often involves a departure from the safety of the comfort zone. As humans, we enjoy routine, but can be thrown when this routine is challenged and change is inevitable. This holds true for both work and personal lives.

In the workplace and in our personal lives being emotional intelligent is an essential component to building resilience for mental health and successfully managing change. Emotionally intelligent leaders and managers are also able to help others to manage difficult change.

- By developing emotional maturity
- By increasing social intelligence
- As a tool to avoid or manage relationship problems
- By improving Interpersonal communication
- By helping manage emotions
- As a method of coping with stress
- By influencing leadership styles
- By helping leaders make business decisions about change
- By supporting managers, supervisors and staff in the workplace

vBy effectively managing resistance to change

Emotional Intelligence and Work Attitude

There are certain Important behavioural attitudes, behaviour and outcomes that are essential for evaluating whether one can be

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viewed as an effective manager and leader Emotional Intelligence is related with following work attitude and work behaviours-

- Job Satisfaction- Individuals with high emotional intelligence experience continuous positive moods and feelings that generate higher levels of satisfaction and well-being.
- Organizational Commitment- Emotionally intelligent individuals are "optimistic", a trait that enables them to focus on the resolution, rather than the reasoning (who is at fault). Thus, Emotional Intelligence is expected to augment a higher level of commitment to the organizations.
- Work-Family Conflict- A high emotional intelligence would help the managers balance family interference with work. In fact, they may be more capable of preventing work-family conflict from the beginning because they have emotional insight as to how these emotions should be managed, and the ability to improve the decision-making process.
- Job Performance- There is a positive effect of emotional intelligence on the success of the individual at work. Through various studies, it has been showed how the aspects of emotional intelligence – appraisal and expression of emotions, use of emotion to enhance cognitive processing and decision making, knowledge about emotions and management of emotions – contribute to effective leadership.

Emotional Intelligence and Effective Leadership

Increasingly, it is noted that basic management and leadership skills are no longer enough to lead organizations successfully. Emotional intelligence is recognised as having an Important role to play in management and leadership positions where differences in technical skills are of negligible importance. Consequently, emotional intelligence is becoming a sought after quality. Some authors on emotional intelligence are of the view that emotional competencies are twice more likely to contribute to organizational success and

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excellence than pure intellect and/or technical expertise alone. Accordingly, being aware of our emotions and how to manage them in ways that are appropriate and effective is an important skill for leadership, the organization, the team and the individual.

The Future of Emotional Intelligence in Bureaucracies

As bureaucratic processes moved more and more away from the historical concepts of dehumanization and impersonality, the notion that emotional skills are essential to job performance and customer service has gained foothold in the public administration sector. Based on the concepts of self-awareness, self-management, social awareness, and relationship management, emotional intelligence has become key to the internal organization of public agencies (e.g. leadership, co-worker collaboration) and for the external exchange with citizen customers (e.g. as a basis for relational work/ emotional labour). Despite some deficiencies (e.g. difficulties in assessment and costs), emotional intelligence skills will continue to be important for bureaucratic processes since social skills in general are expected to decline due to the increased dependency on technological forms of communication.

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UNIT

5

Contributions of Moral Thinkers and Philosophers from India and the World

After reading this chapter you will be able to understand

- Theory of Descriptive Ethics by Lawrence Kohlberg
- Jeremy Bcntham's Gross or Quantitative Utilitarianism
- Kantian Ethical Theory
- Plato's Concept of Virtues/ Cardinal Virtues
- Aristotelian Concept of Virtue
- Ethics in indian Philosophy
- Gandhian Ethics
- Thomas Hobbes' Psychological Egoism
- Ayn Rand- Ethical Egoism
- Feminist Ethics: Carol Gifligan
- Existentialist Ethics- Jean Paul Sartre
- Theory of punishment

Philosophy

Philosophy is the methodical work of thoughts. It is an art of life. It tries to understand the meaning and the value of life. It is an attempt to understand the ultimate Reality. Philosophy is the study of the principles which underlie all knowledge. Philosophy tries to discover ultimate truth. It is an attempt of rational interpretation and unification of all our experiences. It tries to give a rational picture of the whole universe. The word 'philosophy' is derived

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from the Greek word 'philosophia' which means striving after wisdom. Philosophy is love of knowledge and philosopher is a person who seeks knowledge.

In India, Philosophy is called 'Darshan' which means 'Vision' and also the means or instruments of Vision. Indian philosophy arises out of the urge for the direct realization of ultimate Reality. We find the seeds of Indian philosophy in the Upanishads, the sacred books of Hindus.

Modern Moral Philosophy

In the 20th century, moral theories have become more complex and are no longer concerned solely with rightness and wrongness, but are interested in many different kinds of moral status. W.D. Ross for instance, argues that moral theories cannot say in general whether an action is right or wrong, but only whether it tends to be right or wrong according to a certain kind of moral duty such as beneficence, fidelity, or justice. Other philosophers have questioned whether these principles or duties can be articulated at all at a theoretical level; some have moved away from the theories and principles of normative ethics towards descriptive morality and meta-ethics. Other philosophers are still defending moral theory on the grounds that it need not be perfect in order to capture important moral insight.

Modern moral philosophy is increasingly revolving around 'claims-based' or 'rights-based ethics', which are ethical theories based on the fundamental principle of human rights and other rights or claims of the individual. Rights-based theories argue that people have a claim to certain freedoms and rights, like liberal theories which focus on people's claim to freedoms like the freedom of speech, association, religion, etc. These modem theories are focusing on people's claim to rights like human rights, civil rights, political rights and social/economic rights. One example is the Universal Declaration of Human Rights of the United Nations. Another

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example of rights-based theories is 'welfarism', which argues that people have a claim to a welfare state that can provide them with security, basic health services, education, jobs, housing, etc.

Development of Moral Reasoning/ Consciousness-Lawrence Kohlberg

Development of Moral Reasoning/Consciousness is a theory of Descriptive Ethics given by renowned psychologist Lawrence Kohlberg (refer Unit-1 for the meaning of descriptive and normative ethics). Lawrence Kohlberg started studying moral development in the 1950s. He posed hypothetical dilemmas of various types to 75 boys aged 10-13-1B and continued to question them periodically for 30 years. At the heart of each dilemma was the concept of justice, On the basis of these interviews Kohlberg concluded that how people think about moral issues reflects cognitive development and that people arrive at moral judgment on their own, rather than merely internalizing standards of parents, teachers or peers.

On the basis of thought processes shown by responses to his dilemmas, Kohlberg (1969) described three levels of moral reasoning. They are:

- **Level- 1: Precunventronal morality-** This is the most basic level of morality. The Locus of control is outside the individual. Peopte under external controls obey rules to avoid punishment or to get rewards, or act out of self interest. it is purely ego-centric approach, e.g., a child doesn't copy to avoid punishment.
- **Level- II; Morality of conventional roJe conformity-** As an individual grows in a complex human society he/she tends to internalize the standards of authority figures. Approval of the society is the locus of control of the moral behaviour. People at this stage of morality are concerned about being "good", pleasing others, and maintaining the social order, e.g., a secondary school goer doesn't copy because he knows his teacher and friends despise it or don't approve it at all.

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- **Level-III: Morality of autonomous moral principles-** Confronted by the complexity of moral issues people now realize the conflicts between moral standards and make their own judgments, on the basis of principles of right, fairness and justice. Locus of control of moral behaviour and moral judgment is internal, e.g., a young boy doesn't copy in the competitive exams because he believes that copying defeats the purpose of the examination and therefore it is wrong.

Normative Ethics Theories

There are three important normative ethics theories-

- Virtue Ethics
- Consequentialism (prominently utilitarianism)
- Deontological Ethics (prominently Kantianism)

Virtue Ethics

Virtue ethics focuses on the 'character' of the agent rather than on the formal rules for or the consequences of actions. Virtue ethics includes an account of the purpose of human life, or the meaning of life. To Plato and Aristotle, the purpose was to live in harmony with others, and the four Cardinal Virtues were defined as-

- Prudence/ Wisdom
- Justice
- Fortitude Courage
- Temperance

Proponents of virtue theory sometimes argue that a central feature of a virtue is that it is universally applicable. The key elements of virtue ethical thinking are based on the approaches to ethical thinking of the ancient and medieval periods. The roots of the Western tradition lie in the work of Plato and Aristotle, but virtues are important also in traditions of Chinese moral philosophy.

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Consequentiatism

This is the ethical theory that most non-religious people think they use every day. It bases morality on the consequences of human actions and not on the actions themselves. its emphasis, thus, is on the rightness of the 'end' rather than morality of the 'means' employed. Thus, from a consequentialist standpoint, a morally right action is one that produces a good outcome, or consequence.

Consequentialism teaches that people should do whatever produces the greatest amount of good consequences. One famous way of putting this is 'the greatest good for the greatest number of people',

The most common forms of consequentialism are the various versions of utilitarianism, which favour actions that produce the greatest amount of happiness. Three subdivisions of consequentialism are:

- Ethical egoism,
- Ethical altruism, and
- Utilitarianism.

Deontological or Non-consequentialism Ethics

Deontology is concerned with the actions themselves and not with the consequences. It looks at the rightness or wrongness of actions themselves, as opposed to the rightness or wrongness of the consequences of those actions. It teaches that some acts are right or wrong in themselves, whatever the consequences, and people should act accordingly.

Ethical Egoism

According to this perspective, an action is morally right if the consequences of that action are more favourable than unfavourable 'only to the agent' performing the action.

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Ethical Altruism

According to this perspective, an action is morally right if the consequences of that action are more favourable than unfavourable 'to everyone except the agent'.

Utilitarianism

According to this perspective, an action is morally right if the consequences of that action are more favourable than unfavourable 'to everyone'.

Utilitarianism is the altruistic or universalistic form of Ethical Hedonism (where Hedonism argues that pleasure is the highest good and the supreme ideal of life). Utilitarianism maintains that the supreme ideal of life is pleasure - not the individual pleasure but universal or general happiness. The slogan of Utilitarianism is, "The greatest happiness of the greatest number".

In other words, Utilitarianism is the idea that the moral worth of an action is solely determined by its contribution to overall utility, that is, its contribution to happiness or pleasure as summed up among all persons. The more happiness or pleasure for the more people, the better. It is consequentialist because the moral worth of an action is determined by its outcome, and that the ends justify the means. This theory, thus, is in opposition to deontological ethical theory that regards some acts or types of acts as right or wrong independently of their consequences.

Utilitarianism, in normative ethics, is a tradition stemming from the late 16th and 19th century's English philosophers and economists- Jeremy Bentham and John Stuart Mill. Jeremy Bentham advocates Gross or Quantitative Utilitarianism while J.S. Mill advocates Refined or Qualitative Utilitarianism.

Jeremy Bentham's Gross or Quantitative Utilitarianism

Bentham argues for weighing pleasures and pains in our actions. An action is right if it produces pleasure. An action is wrong if

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it produces pain. The worth of an action consists in its utility to produce pleasure and to avoid pain. Bentham believes that all pleasures are alike. Pleasures do not have qualitative differences. Pleasures have only quantitative differences i.e. they are more or they are less. Bentham argues that the quantity of pleasure remaining the same, pushpin (a game) is as good as poetry h.e., there is no qualitative difference between the two).

Bentham argues that each man desires his own happiness. Each man's happiness is good for him. Therefore general happiness is good for all. Bentham asserts that by nature man is egoistic and selfish. Man can be altruistic only when, by being altruistic he satisfies his own desire too. Here Bentham suggests the moral standard of "the greatest happiness of the greatest number of people/ The moral standard is not the greatest happiness of one individual but it is happiness of maximum number of people.

Mill's Refined or Qualitative Utilitarianism

The Refined or Qualitative Utilitarianism can be summarized as follows:- The moral criterion is Utility or the greatest happiness principle. Actions are right, if they promote happiness. Happiness means pleasure and the absence of pain. Actions are wrong if they produce unhappiness. Unhappiness is pain and the privation of pleasure. Pleasure and freedom from pain are the only desirable ends. All other things like virtue, health, love of honor, wealth, power are desired because they promote happiness.

Mill holds that qualitative distinction among pleasures is as real as quantitative distinction. Intellectual pleasures are better than sensuous pleasures. Mill believes that we ought to seek satisfaction of higher capacities.

Mill argues that each man desires his own happiness. Each person's happiness is good to that person. Therefore the general happiness is good to 'all' persons. So, general happiness is good to 'each' person. In this way, Mill explains transition from egoism to

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altruism. Mill advocates that, "The moral end ought to he greatest happiness of the greatest number."

Kantian Ethical Theory

Kantianism (or Kantian ethical theory) is deontological, revolving entirely around "duty" rather than emotional feelings or end goals. The core concept is "duty", or what one ought to do in certain situations. Kantianism states that truly moral or ethical arts are not based on self-interest or the greatest utility, but on a sense of "duty" and a sense of what is right and fair on a wider level (despite the possible consequences for the individual and their usefulness for others). Kantian theories are based on the work of the German philosopher Immanuel Kant (1724 – 1604).

Kant believes that moral law arises from pure will. It arises from free and rational will which is self-determined and self-legislative. A person is free when he is bound by his own will and not by the will of others. Kant regards the moral law imposed by practical reason as 'Categorical Imperative'. Categorical Imperative is the internal law imposed by conscience upon itself. In other words, a categorical imperative denotes an absolute, unconditional requirement that exerts its authority in all circumstances, both required and justified as an end in itself.

Kant argued against utilitarianism and other moral philosophy of his day, because for example an utilitarian would say that murder is OK if it does maximize good for the greatest number of people; and he who is preoccupied with maximizing the positive outcome for himself would see murder as OK, or irrelevant. Therefore, Kant argued, these moral systems cannot persuade moral action or be regarded as basis for moral judgments because they are based on subjective considerations. A deontological moral system was his alternative, a system based on the demands of the categorical imperative.

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As an example of these categorical Imperatives or duties, the philosopher W.D. Ross built ufKin Kant's theory and listed a few basic "duties"- One should:

- Tell the truth;
- Right the wrongs that one has done to others;
- Act justly;
- Help others in respect to virtue, intelligence, and happiness;
- Improve oneself with respect to virtue and intelligence;
- Give thanks; and
- Avoid injury to others.

In Kant's words; "Act so as to treat others as ends and not merely as means".

Corruption and Ethical Theories

Virtue ethics will consider corruption as a break of several categorical imperatives, including to avoid injury and to act justly, because corruption is to favour certain people.

Likewise, deonlologica! ethics (Kantianism} will look at your commitment to principle (and disregard the consequences of a particular act], and will argue that corruption involves deception and undermines the rational and moral capacity of those involved, and therefore deem corruption as unethical.

Consequentialist theories like utilitarianism, however, may see corruption as ethicaf. Some observers have argued that corruption is to "grease the wheels" and can make bureaucracies work more efficiently (which is useful to most people}. Although this argument is rarely seen today (the immediate efficiency gain is ruined by the long-term damage made to the administrative system), the argument can exemplify a perspective from which corruption can be seen as ethical.

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Virtues and Good Conduct

Virtues are good traits of character and vices are bad traits of character. Virtues as good traits of character can be and must be deliberately cultivated. They make for the survival and the well-being of the human individual and also that of the society. Good life or moral life Is developed through the habitual or regular doing of good deeds or actions in changing situations.

‘Character and ‘conduct’ of a man are intimately related. Conduct of a man is the expression of his character in varied situations. On the contrary, moral character of a person is formed when he does good actions consistently and persistently. In this way, virtues can be cultivated and can be termed as character-values. Since virtues can be cultivated, they can also be described as the acquired dispositions of a virtuous person. Hence, virtues denote the excellence of human character, while vices are the defects of character. These virtues, in other words, refer to the inner traits of man’s being. So they constitute the morality of being, while duty and good actions refer to the morality of doing. One simple but profound message of any great man is: Be good and do good, and the way to be good is through the doing of good actions consistently.

Duties are obligatory actions. A man does his duty. Virtue refers to the moral quality of a person. We, therefore, correctly say that a particular person is virtuous if he possesses good qualities. Such a virtuous person is not only good but he also does good deeds. He does not take holidays from virtues. The existence of virtues in a person is inferred from the habitual good conduct of that person. One has to choose to be virtuous and pursue the path of good and right actions. Virtues promote the well being of their possessors and also of their society, while vices run counter to the welfare of their possessors.

Plato’s Concept of Virtues/ Cardinal Virtues

Plato (*427* BC-347 BG was a great Greek philosopher. He h

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known as a true disciple of Socrates. Plato's doctrine of cardinal virtues is based on his concept of virtue. According to Plato, goodness consists of the natural and proper functioning of human nature. Besides, man is social by nature; therefore, society is a normal background of moral life of human beings. Socrates had said that virtue is knowledge. It means that insight into the nature of moral virtues is essential for becoming virtuous. Of course mere knowledge of virtue is not enough. Man has to cultivate virtues through the habit of doing obligatory and morally good actions. For Plato, good life is the life of virtues.

Plato has described four important virtues in his theory of Morality-

- Wisdom
- Courage
- Temperance
- Justice

According to him the cultivation of these four virtues constitutes a morally good life. Later on, these four virtues came to be called 'Cardinal virtues'. The term 'cardinal' is derived from the word 'Cardo' 'Cardo' means a hinge or a hook which supports the door, and on which the door turns. The four virtues are cardinal because they support moral life of man in society. They are fundamental virtues. Other virtues depend upon them and are therefore subordinate to them.

According to Plato, the key to moral life is the proper integration of the three parts of the self. The three elements or parts of human beings are:

- Passionate or Appetitive Element (Passions)
- Spirited or Dynamic & Executive Element (Will)
- Philosophical or Rational Element (Reason or Intellect)

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This integration can be achieved when the spirited element helps the reason to keep the passions in check. According to Plato, the four cardinal virtues have both individual and social significance. They are found both in the individual and in the society. Human beings are rational and social animals. They have the natural tendency to live in communities. Morality of the society is the same as it is for the individual. According to Plato, society is the individual 'writ large'. For society is made up of individuals.

Aristotelian Concept of Virtue

Aristotle (384 BC to 322 BC) was also a great Greek philosopher. He was the first to write a book on ethics in the Western world. Knowledge, courage, bravery, and perseverance by themselves do not make a morally good character or man. Their ethical significance depends on the motives and the values to which they are related. Aristotle, therefore, rightly distinguishes the moral virtues from the intellectual virtues. The doctrine of the golden mean is central in Aristotle's concept of virtues.

Aristotle is also right in extending the meaning of the important virtue of justice. He considers justice as the supreme virtue. It has two forms-

- Distributive Justice
- Remedial Justice

Distributive justice consists in the equitable distribution of wealth and honours among the citizens of the state. Remedial justice consists of the fair transactions among the members of the community. The virtues are acquired through the development of the habit of doing virtuous actions consistently. Ability to think and ability to control one's desires and passions is the special virtue of man.

According to Aristotle, virtuous conduct consists in avoiding the extremes of excess or of deficiency. For instance, excessive

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indulgence is as much a vice as the excessive repression of desires. Self control, therefore, is a virtue. Likewise, courage is the mean between rashness and cowardice. For instance generosity Ires between meanness and prodigality. Thus, virtue is a matter of striking a mean between two vices. Moral virtue thus is a mean state lying between two vices, viz. a vice of excess on the one side and a vice of deficiency on the other. It is not easy to find the mean. As Sahakian has pointed out, it consists in doing the right thing, to the right person, to the right extent, with the right motive, and at the right time. For instance, the practice of generosity: give generously to the right person, at the right lime, to rhe right extent, with the right purpose.

Ethical/ Moral Relativism

Ethical relativism is the moral theory that holds that morality is relative to the norms of one's culture. That is, whether an action is right or wrong depends on the moral norms of the society in which it is practiced. The same action may be morally right in one society but be morally wrong in another. For the ethical relativist, there are no universal moral principles – principles that can be universally applied to all peoples at all times.

Ethical relativism is a moral theory that promotes tolerance as its value.

Ethical relativists dispute the idea that there are some objective and discoverable 'super-rules' that all cultures ought to obey. They believe that relativism respects the diversity of human societies and responds to the different circumstances surrounding human acts.

Relation of Ethical Relativism to Normative Ethics

Ethical Relativism is the position that there are no objectives or universally valid moral principles, for all moral judgments are simply a matter of human opinion.

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Ethical Relativism goes one step further and makes a judgment that says the morals of the culture are right for that culture. This latter approach is a normative ethic. To further explain, given such variety in practices around the world, one is inclined to wonder who's got the right set of rules. The relativist answer is: no one does- right and wrong are relative. A normative ethic is one that asks, "What should or should not be done?"

The original advocate for this approach is Ruth Benedict, cultural anthropologist who started out trying to describe normal cultural behaviours. Her work boils down to the notion that "what is normal is moral."

Ethical/ Moral Objectivism

Ethical Objectivism is the view that there are universal and objectively valid moral principles that are relative neither to the individual nor to the society.

According to this perspective, the truth or falsity of typical moral judgments does not depend upon the beliefs or feelings of any person or group of persons. This view holds that moral propositions are analogous to propositions about chemistry, biology, or history: they describe for fail to describe} a mind-independent reality. When they describe it accurately, they are true—no matter what anyone believes, hopes, wishes, or feels, When they fail to describe this mind-Independent moral reality, they are false—no matter what anyone believes, hopes, wishes, or feels,

Ethical/ Moral Absolutism

According to this perspective, certain principles are universal and non-overrideable and true for all situations.

Moral absolutism argues that there are some moral rules that are always true, that these rules can be discovered and that these rules apply to everyone. Immoral acts- acts that break these moral

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rules- are wrong in themselves, regardless of the circumstances or the consequences of those acts.

Ethical/ Moral Realism

Moral realism is based on the idea that there are real objective moral facts or truths in the universe. Moral statements provide factual information about those truths.

Ethical/ Moral Subjectivism

Subjectivism teaches that moral judgments are nothing more than statements of a person's feelings or attitudes, and that ethical statements do not contain factual truths about goodness or badness.

In more detail: subjectivists say that moral statements are statements about the feelings, attitudes and emotions that that particular person or group has about a particular issue. If a person says something is good or bad they are telling us about the positive or negative feelings that they have about that something.

Ethical/ Moral Emotivism

Emotivism is the view that moral claims are no more than expressions of approval or disapproval This sounds like subjectivism, but in emotivism a moral statement doesn't provide information about the speaker's feelings about the topic but just expresses those feelings.

Ethical/ Moral Prescriptivism

Prescriptivists think that ethical statements are instructions or recommendations. So Ef I say something is good, I'm recommending you to do it, and if I say something is bad, I'm telling you not to do it.

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Ethical/ Moral Supernaturalism

Supernaturalism makes ethics inseparable from religion. It teaches that the only source of moral rules is God. So, something is good because God says it is, and the way to lead a good life is to do what God wants.

Ethical/ Moral Intuitionism

Intuitionists think that good and bad are real objective properties that can't be broken down into component parts. Something is good because it's good; its goodness doesn't need justifying or proving.

Intuitionists think that goodness or badness can be detected by adults- they say that human beings have an intuitive moral sense that enables them to detect real moral truths. They think that basic moral truths of what is good and bad are self-evident to a person who directs their mind towards moral issues. For the intuitionist, moral truths are not discovered by rational arguments.

Hedonism

Hedonism is a school of thought that argues that pleasure is the highest good, the supreme ideal of life. In simple terms, a hedonist strives to maximize net pleasure (pleasure minus pain).

Ethical hedonism is the idea that all people have the right to do everything in their power to achieve the greatest amount of pleasure possible to them. It is also the idea that every person's pleasure should far surpass their amount of pain.

Hedonism evaluates human actions on the basis of the consequences of actions i.e. pleasure and pain. Human conduct has a value in proportion to the amount of pleasure in it. The standard of morality for Hedonism is 'pleasure'. A right action is that which produces pleasure. A wrong action is that which produces pain.

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Psychological Hedonism and Ethical Hedonism

There are two forms of Hedonism viz. Psychological Hedonism and Ethical Hedonism. Psychological Hedonism believes that pleasure is the natural object of desire. Man naturally seeks pleasure. Psychological Hedonism is a statement of fact. Ethical Hedonism believes that pleasure is the proper object desire. Man ought to seek pleasure. Ethical Hedonism is a statement of value.

Ethical Hedonism has two forms viz. Egoistic Hedonism and Universalistic Hedonism or Utilitarianism. For Egoistic Hedonism, individual's own pleasure is the highest good. And for the Universalistic Hedonism or Utilitarianism, pleasure of a number of people is the highest good. In other words, Egoistic Hedonism strives after individual's own pleasure. Universalistic Hedonism seeks general happiness and not individual pleasure.

Ethical Hedonism- Gross and Refined

Ethical Hedonism, (whether Egoistic or Universalistic) again has two varieties viz. gross and refined. Gross Hedonism gives weightage to the sensuous pleasures. All pleasures are alike and they differ only in intensity. Present pleasures are to be preferred over future pleasures. Refined Hedonism gives weightage to mental and more subtle, fine pleasures. Refined Hedonism accepts the role of reason in the attainment of pleasures.

Ethics in Indian Philosophy

In Indian view, the obligation of individual is not confined to human society only. It is extended to the whole of sentient creation. Indian philosophy holds, "Love thy neighbour as thyself and every living being is thy neighbour". Moral philosophy in India is truly speaking the art of living a good and disciplined life.

Indian view of moral philosophy is different from that of Western Philosophy. In Western philosophy ethics is an intellectual

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enquiry whereas in Indian view, it is the way of life to realize the ultimate reality.

Indian Schools of Philosophy

Indian Schools of Philosophy are broadly classified into Orthodox (Astika) and Heterodox (Nastika). Six chief philosophical systems viz. Mimansa, Vedanta, Sankhya, Yoga, Nyaya and Vaisheshika are Orthodox schools of Indian Philosophy. These schools accept the authority of the Vedas. So they are called as Orthodox or Astika schools. Three Chief Philosophical Systems viz. the Charvakas, the Bauddha and the Jainas are Heterodox Schools of Indian Philosophy. These schools do not accept the authority of the Vedas. So they are called as Heterodox or Nastika schools.

Features of Indian Ethics: Orthodox and Heterodox

All Indian systems of thought whether Orthodox or Heterodox share some common features. The features of Indian Ethics can be stated as below:

* Indian ethics is the oldest moral philosophy in the history of civilization. It is difficult to ascertain the chronology of the Orthodox and the Heterodox schools (except Lord Buddha i.e., 487 BO. The remoteness of Indian ethics is responsible for making it well established in the practical life of the followers. Every school of Indian Philosophy confirms the endurance of ethical ideals which are unshaken even today.

* Indian thinkers suggest some practical means of attaining a life of perfection here in this world. The rules of conduct have been practically followed by the Yoga, the Jain and the Buddhist disciples for thousand years. The aim of Indian moral philosophy is not only to discuss moral ideals but also to follow the path leading to the moral Ideals.

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- Indian ethics has its strong and deep metaphysical foundation. Each school of philosophy, points to metaphysical ideals which are to be actually experienced. There is a synthesis of theory and practice, of intellectual understanding and direct experience of ultimate reality (Kaivafya, Nirvana, etc.) In Indian Ethics, intellectualism and moralism are two wings that help the soul in spiritual flight.
- Indian ethics is absolutistic and spiritualistic. It aims at realization of supreme reality by transcending pleasure and pain; even right and wrong and good and evil. The ideals are attainable by spiritual discipline.
- Indian Ethics *is* humanistic. It seeks a balance between individual's inner and outer life; individual and social life. Moral laws or code of conduct is prescribed in such a way that individual progress and social welfare will lead to harmonious living. The goal of morality is the wellbeing of humanity.
- Indian ethical thinkers preach non-violence, love, compassion and good will for all living beings. It is not limited to human beings. It includes every living beings, plants, birds, and animals, every visible and invisible form of life.
- Indian thinkers believe in the Law of Karma. Law of Karma means that all our actions good or bad produce their proper consequences into the life of an individual, who acts with a desire for fruits thereof. It is the general moral law which governs the life of all individuals. Law of Karma is the force generated by an action that has the potency of bearing fruit. It is the law of the conservation of moral values. Except Charvakas, all Indian schools accept the Law of Karma.

Purusharthas

The Indian thinkers were not only interested in knowing the Ultimate Reality but in realizing the Ultimate Reality.

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Philosophy is an art living good life. They prescribed Four Supreme Ends that is Purusbarthas- Dharma, Artha, Kama and Moksha. The term 'Purushariha' means the goal or the End that every human being (man or woman) ought to seek. The Purusharthavada is a comprehensive Indian theory of human values.

Man is a rational, social, moral and spiritual being. His needs are to be satisfied. Good life consists in the pursuit of four Supreme Ends, namely Dharma (Virtue), Artha (Wealth), Kama (Desire) and Moksha (Liberation). Artha satisfies material needs of individual, Kama satisfies psychological needs and Moksha aims at spiritual satisfaction. Dharma accompanies throughout the life.

Dharma

The term 'Dharma' is derived from the root 'dhr' meaning to hold together, to sustain, and to nourish. Thus 'Dharma' literally means 'That which holds together.' It is the basis of harmony in individual life and order in society. Dharma is therefore the basis of social and moral order. ("Dharanat Dharma Ityahuh") Dharma as the Supreme End stands for the principles that lead to the harmony in social relationships and integrity of an individual's personality.

Among the four Puresharthas, Dharma is always mentioned first. It is given priority over others because all human pursuits have to be compatible with moral values and principles. Dharma is said to be the special characteristic of human beings. All living organism indulge in eating, sleeping, sorrow, and sex. Dharma is the distinguishing characteristic of Human beings. Dharma indicates moral and reflective awareness. Man is essentially a rational and spiritual being. He is not satisfied with the mere satisfaction of biological needs of hunger, sex and safety. He has higher needs –psychological, moral and spiritual.

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The Idea of Nishkama Karma (disinterested performance of duties)

The Bhagwad Gita is the most popular and the most influential religious book of the Hindus. It summarizes the important elements in Hindu philosophy. Great Indian thinkers like Shankaracharya, Ramanuja, Madhava, Dnyaneshwar, etc. have written illuminating commentaries on the Gita. Great national leaders like Lokmanyu Tilak and Mahatma Gandhi have drawn inspiration from the Gita. The Gita derives its philosophical content chiefly from the Upanishads. It also synthesizes the philosophical elements from Sankhya, Yoga, etc. schools of philosophy.

The Gita preaches the path of Nishkama Karma, i.e., performing our duties in disinterested way without expecting the fruits of our actions. Our duties must be performed without selfish motive. We have to offer the fruits of our actions to the Divine. We have a right to the performance of our duties but we do not have any right to the rewards of our actions. Actions are our sphere, fruits are rot our concern.

The ideal of the Gita is performance of duties in a detached spirit. The Gita teaching stands, not for renunciation of action but for renunciation in action. The Gita does not preach to renounce everything but to renounce the selfish desires and the fruits of one's actions. The individual should give up any expectation for the rewards. His actions should be the performance of his prescribed duties.

The Gita ethics is neither hedonistic nor ascetic. It condemns the wild pursuit of pleasures, as well as suppression of desires. The Gita prescribes controlled satisfaction of humanly desires. The Gita ethics promotes individual as well as social welfare.

Buddhist Ethics

The Buddhist Ethics is compassionate and humanistic. Buddha's gospel is the gospel of love. Buddha asked for the cultivation of

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true love for all creation. He tried to enlighten people on the question of sorrow, its origin, its cessation and the path leading to its cessation.

The core ethical code of Buddhism is known as the five precepts, and these are the distillation of its ethical principles. The precepts are not rules or commandments, but 'principles of training', which are undertaken freely and need to be put into practice with intelligence and sensitivity. The Buddhist tradition acknowledges that life is complex and throws up many difficulties, and it does not suggest that there is a single course of action that will be right in all circumstances. Indeed, rather than speaking of actions being right or wrong, Buddhism speaks of being skillful (kusala) or unskillful (akusala). The Five Precepts are:

* **Not killing or causing harm to other living beings:** This is the fundamental ethical principle for Buddhism, and all the Other precepts are elaborations of **this.** The positive counterpart of this precept is love.

* Not taking the not-given; Stealing is an obvious way in which one can harm others. One can also take advantage of people, exploit them, or manipulate them. The positive counterpart of this precept is generosity.

* **Avoiding sexual misconduct:** It includes avoiding breaking commitments in the area of sexual relations. The positive counterpart of this precept is contentment.

* **Avoiding false speech:** Truthfulness, the positive counterpart of this precept, is essential in an ethical life.

* **Abstaining from drink and drugs:** The positive counterpart of this precept is mindfulness, or awareness. Mindfulness is a fundamental quality to be developed the Buddha's path, and experience shows that taking intoxicating drink or drugs tends to run directly counter to this.

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Jaina Ethics

Jaina ethics is directed toward the liberation of the individual. Its orientation is therefore religious. Its end is the spiritualisation of all areas of life in order to fit the individual for his final goal. Its primary precept applicable to king and commoner alike is, "Do your duty and do it as humanly as you can". The Jain morality and ethics are rooted in its metaphysics and its utility towards the ultimate objective of liberation. Jaina ethics evolved out of the rules for the ascetics, which are encapsulated in the Mabavratas or the five great vows:

- Ahjmsa, non-violence
- Satya, truth
- Asteya, non-stealing
- Brahmacharya, celibacy
- Aparigraha, non-possession

These ethics are governed not only through the instrumentality of physical actions, but also through verbal action and thoughts. Thus, ahimsa has to be observed through mind, speech, and body. The other rules of the ascetics and laity are derived from these five major vows.

Jainism does not invoke fear of or reverence for God or conformity to the divine character as a reason for moral behaviour, and observance of the moral code is not necessary simply because it is God's will. Neither is its observance necessary simply because it is altruistic or humanistic, conducive to general welfare of the state or the community. Rather it is an egoistic imperative aimed at self-liberation.

Charvaka Ethics or Lokayatmat

Among all the schools of Indian Philosophy, Orthodox or Heterodox, the Charvaka School has unique position. It advocates

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Atheism, Materialism and Hedonism. TheCharvaka views are always the object of criticism for all other schools of thought. The original work of the Charvakas is not available. We know the Charvaka view through the criticism of other philosophers. The Charvaka view is also known as 'Lokayatmath This school holds that only this world (Loka) exists.

Indian thinkers advocated four Supreme Ends (Purusharthas) viz. Dharma (Virtue), Artha (Wealth), Kama (Desire) and Moksha (Liberation). The Charvakas accept reality of this empirical world and the physical body as the soul. Hence the Charvakas deny Dharma and Moksha as the supreme ends. They accept Kama as the primary goal of life. The economic values (Artha) are accepted as means to derive individual pleasures (Kama). Artha is subordinate to Kama as wealth is means lo sensuous enjoyment.

The Charvakas believe that human existence is confined to the physical body and to this life. So the physical pleasure is the only good thing one can obtain. The goal of human life is to obtain the maximum amount of pleasure and to avoid pain, in this life. Thus, the Charvakas advocate Cross Egoistic Hedonism. The Charvaka School is the only school in Indian tradition that advocates hedonistic ethics.

Gantihian Ethics

Gandhian philosophy is a double-edged weapon. Its objective is to transform the individual and society simultaneously, in accordance with the principles of truth and nonviolence. Gandhi, as leader of Indian national movement, and as prolific writer has commented on almost every aspect of human life and society. His thoughts are multidimensional and cover political, social, economic, religious and ethical aspects of human life. He was influenced not only by Tolstoy, Carlyle and Thoreau but also by ethical principles embedded in Buddhism, Jainism, Hinduism and Christianity.

The twin cardinal principles of Gandhi's thought are truth and

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nonviolence. His ideas are generally expressed in moral categories or terminology. Ethical theories provide the underpinnings for Gandhian thought in any sphere. Evolution of Gandhian ideas took place within a matrix of non-violent mass political struggle. In the process, they went through some twists and turns.

Gandhi is not an academic thinker, he is a mass leader. Hence, his emphasis is not on Idealism but on practical idealism. Moreover, Gandhian philosophy is certainly considered as a universal **and** timeless philosophy. They hold that the ideals of truth and nonviolence, which underpin the whole philosophy, are relevant to all humankind.

Gandhi on Moral Behaviour

According to Gandhi, an action is moral if it is volitional, intentional, universal, practical, selfless, and free from fear and compulsion simultaneously. The cultivation of calmness, wildness and tranquility of personality; fostering of good habits; observance of chastity, altruism and righteousness, etc are the elements of moral life in Gandhian ethics. Similarly, the moral law in Gandhian ethics is a pious, universal, eternal, immutable, independent of space and time, objective, self-imposed dwells in the heart and deals with the inner being of one's personalities.

Gandhi and Non-violence

Non-violence in Gandhi's thinking was a tool that anyone could (and should) use and it was based on strongly religious thinking. Non violence, in its active sense, includes truth and fearlessness. Gandhi insists that non-violence is not a creed of inaction. Nor is it for the weak or the timid. Non-violence does not signify meek acceptance of evil. It is better to be violent than to be cowardly. Gandhi naturally feared that nonviolence may become a convenient alibi for avoiding confrontation with the British rulers.

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According to Gandhi, many prerequisites are necessary for persistent pursuit of ahimsa. Foremost among these are truthfulness and fearlessness. Except God, men should not fear anyone else. If men obey God, they need not worry about any human agency. From this follows the doctrine of Satyagraha which denotes fearless pursuit of truth. Satyagraha is the name which Gandhi gave to the peaceful protests against British rule in India. And the peaceful protesters are called as satyagrahis.

A close look at the instructions that Gandhi gave to followers of his satyagraha movement in India clears his concept of non-violence. The instructions are as follow:

* A satyagrahi will harbour no anger.
* He will suffer the anger of the opponent.
* In so doing, he will put up with assaults from the opponent, never retaliate; but he will not submit, out of fear of punishment or the like, to any order given in anger.
* When any person in authority seeks to arrest a Civil resister, he will voluntarily submit to the arrest, and he will not resist the attachment or removal of his own property, if any, when it is sought to be confiscated by authorities.
* If a satyagrahi has any property In his possession as a trustee, he will refuse to surrender it, even though in defending it he might lose his life. He will, however, never retaliate.
* Non-retaliation excludes swearing and cursing.
* Therefore a satyagrahi will never insult his opponent, and therefore also not take part in many of the newly coined cries which are contrary to the spirit of ahimsa.
* A civil resister will not salute the Union Jack, nor will he insult it or officials, English or Indian.
* In the course of the struggle if anyone insults an official or commits an assault upon him, a civil resister will protect such

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official or officials from the insult or attack even at the risk of his life.

Gandhi's Economic Ideas

Gandhian ethics cover economic sphere also. Gandhi says that everyone should earn his bread with his own hands or through manual labour He calls it bread labour, and it alone gives man his right to ear It is impossible for a few to amass wealth without exploiting the rest. Exploitation is a form of violence. As men have a right to live, they are entitled to the means of securing food, shelter and clothing.

Gandhi does not propose drastic or violent means of bringing about economic equality. Ideally, wealth should he distributed equally among all members of the society, As this is impracticable, Gandhi proposes that wealth should be shared equitably. He urges that people should reduce their wants and live a simple life. This process will release resources which can be used to help the poor.

Doctrine of Trusteeship

Gandhi has introduced a concept in which the rich are regarded as trustees of wealth. Ultimately, as all property belongs to God, the excess or superfluous wealth which the rich possess belongs to society and should be used for supporting the poor. Wealthy people have no moral right to what is more than their proportionate share in national wealth. They simply become trustees for the disproportionate share of God's property they bold. They have to use it for helping the poor.

Morality of Self-Interest

Morality of self-interest is another name for egoistic ethics. There are two types of egoism:

- Psychological egoism

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* Ethical egoism

According to psychological egoism man by nature strives for the satisfaction of his or her desines and fulfils one's interests. Man, by nature, is selfish. English Philosopher, Thomas Hobbes (1588 -1679) is an advocate of psychological egoism.

According to ethical egoism, one may or may not strive to fulfil one's desires. To say that one ought to practice the morality of rational self interest means that one ought to be an egoist in pursuing his or her own rational interests.

Thomas Hobbes* Psychological Egoism

Hobbes' moral thought is based on the view that what we ought to do depends greatly on the situation in which we find ourselves. According to Hobbes, where political authority exists, our duty seems to be quite straightforward i.e. to obey those in power.

Hobbes argues that society originates out of self-interest and fear, not out of natural feeling for one's fellow men. He defends as natural and reasonable the interest each man takes in his own welfare and happiness. In a state of nature the first and only rule of life is self-protection and men have a natural right to do anything which serves this end.

Hobbes establishes civil authority and law as the foundation of morality. He argues that morality requires social authority, which must be in the hands of a sovereign power whose authority is absolute. Morality is based upon-law and the law of the absolute sovereign. Moral Conduct is possible only through the institution of Government which can reward right actions and punish wrongdoing. Without civil authority it would be foolish and dangerous to follow the precepts of morality. Men are moral only if it is conducive to individual security and prime condition of security Is absolute civil power.

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Ayn Rand- Ethical Egoism

American thinker Ayn Rand (1905-1982) was an ardent advocate of ethical egoism in 20th century America. She vehemently stood for the virtue of rational selfishness. Rand's morality of self-interest emphasizes the values of rational choice. Freedom, personal dignity, self-reliance, self-belief, and dignity of labour are important values in her ethics.

She was of the view that we must choose our ends by reason only or we perish. According to her Human Model, man does not merely seek food but he has to do productive work also. For that purpose he has to choose actions. He has to think. He has to seek knowledge. He needs knowledge in order to live. Hence, selfishness is a virtue. Further she elaborates: Selfishness means the pursuit of one's rational self-interest. In her view, concern with one's own interests is not an evil.

Rand was opposed to Altruistic Morality. Altruism orders man to sacrifice one's interest for the good of others. Altruism is possible but it is not desirable. According to her, pure altruism treats humans as sacrificial animals, and every kind of dictator advocates altruistic morality, and suppresses human rights and freedom of thought and speech.

According to Rand, there is nothing wrong in helping others. But it is not one's ethical duty to help others. One may try to reform society but it is not one's moral obligation to do so. One may choose to help others and reform society, but that is or that should be one's choice. It must be the result of one's free and rational choice.

Feminist Ethics: Carol Gilligan

Feminist Ethics is an attempt to revise, reformulate or rethink traditional Ethics. Feminists have developed a wide variety of gender-centred approaches to ethics. For ages, ethical thinkers have talked about two great moral imperatives: 'justice' and love'. The concept

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of 'love' is replaced by the concepts of 'goodness', 'utility', etc. Carol Gilligan, like a few other feminists, has emphasized issues related to women's traits and behaviours, particularly their 'care giving ones'. Gilligan's ethical theory is essentially based on the "communal nature of women." The theory is titled as "ethic of care* as against typical conventional male oriented Jethic of justice".

Ethic of Care and Ethic of Justice

Distinction between Ethic of Care and Ethic of Justice was given by Carol Gilligan. According to GiLligan under the ethic of justice, men judge themselves guilty if they do something wrong. Whereas under the ethic of care, women are reluctant even to judge the action. This reluctance to judge itself may be the indicative of the care and concern for others. Thus women not only define themselves in a context of human relationship but also judge themselves in terms of 'care and concern'. As a result of this a woman's judgement, her moral deliberations become very different.

Gilligan further brings out the distinction between 'ethic of care' and 'ethic of justice'. In her view the quality and quantity of relationships is of great importance in both the systems. Individual rights, equality before law, fair play, a square deal – all these goals can be pursued without personal ties to others. Justice is impersonal. Whereas sensitivity towards others, loyalty, responsibility, self sacrifice and peace- making all these reflect interpersonal involvement. Cane comes from connection.

Existentialist Ethics- Jean Paul Sartre

Jean Paul Sartre is ore of the best known philosophers and a great existentialist of the 20th century. He is regarded as the father of Existentialist philosophy.

Existentialism is widely considered to be the philosophical and cultural movement which holds that the starting point of philosophical thinking must be the individual and the experiences

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of the individual. Existentialists generally believe that traditional systematic or academic philosophies are too abstract and away from concrete human experience.

A central proposition of existentialism is that "existence precedes essence", which means that the most important consideration for the individual is the fact that he or she is an individual—an independently acting and responsible conscious being ("existence")—rather than what labels, roles, stereotypes, definitions, or other preconceived categories the individual fits ("essence"). The actual life of the individual is what constitutes what could be called his or her "true essence" instead of there being an arbitrarily "attributed essence" used by others to define him or her. Thus, human beings, through their own "consciousness", create their own values and determine a meaning to their life.

The Ethics of Authenticity

The 'ethics of authenticity' is at the very heart of existentialism. It emphasises the absolute character of the free commitment by which every man realizes himself in realizing a type of humanity. Sartre very emphatically states that "Freedom," "Choice", and "Self-Commitment.", are the three pillars on which the ethic of authenticity is erected.

It is often taken to mean that one has to "create oneself" and then live in accordance with this self. What is meant by authenticity is that in acting, one should act as oneself, not as "one" acts or as "one's genes" or any other essence requires. The authentic act is one that is in accordance with one's freedom.

Punishment and its Ethical Justification

"Punishment is the just retribution for deliberate breach of moral law". Wrongness of the act is brought home to the criminal by punishing him. If a good act deserves to be praised or rewarded, then a bad act should be punished. This is the ethical justification of punishment.

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Punishment is often known as a kind of negative reward paid to the criminal. Because if we do not punish the criminal, then there will be no harmony, equity and uniformity in society. There will remain no respect for moral laws and moral persons. Moral laws will look like a type of advice possessing no value. Therefore in order to preserve the majesty, supremacy, authority and dignity of moral laws – a criminal should be punished because an offender deliberately violates the moral law and disregards the authority and supremacy of moral laws.

Theories of Punishment

There are three main theories of punishment:

- Deterrent (or Preventive) theory, believes that punishment is given, so that potential criminal can learn a lesson and not commit the same crime again.
- Retributive theory, believes that punishment is given, because it is deserved and for no other reason.
- Reformative (or Educative) theory, suggests that punishment is given to reform the criminal.

Each theory has its own basic principle. The first order principle of Deterrent theory is to maximize the total amount of happiness in society by reducing the crime rate, that of Retributive theory is justice and the basic principle of Reformative theory is to make the criminal, a morally better individual.

Deterrent or Preventive Theory of Punishment

The Deterrent theory of punishment is utilitarian in nature, for it believes that man is punished, not because he has done a wrong act or committed a crime but in order that crime may not be committed, it is best expressed in the word of a judge, who famously said, "You are punished not for stealing sheep, but in order that sheep may not be stolen". By making the potential criminals realize that it does not pay to commit a crime, the

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Deterrent theory, hopes to control the crime rate in the society, so that people may have a feeling of security. The first order principle is maximum happiness of the maximum number of people in the society. Jeremy Bentham is the promoter of this theory.

Retributive Theory of Punishment

The Retributive theory believes that punishment must be inflicted because it is deserved and no other reason. The first principle is justice and the assumption is that if a right act has to be rewarded, a wrong act must be punished, for punishment is simply the reward of the wrong act. By punishing the wrongdoer, we are treating him as equal. Aristotle and Hegel are of the opinion that punishment is kind of negative reward paid to a criminal. Hegel says that violation of moral law is the demand for punishment and hence we should punish a criminal. Punishment follows as a fruit of his evil deeds.

Reformative or Educative Theory of Punishment

As the name suggests, punishment is given for the purpose of reforming the criminal. The supporters of this theory believe that a man commits a crime because, either he is ignorant, or because he has done a wrong, so he may be in a position to improve himself. This theory also holds that most of the crimes are due to pathological phenomenon i.e. one commits crime due to some mental deficiency or insanity or physiological defect. Therefore the criminal ought to be cured and ought to be reformed.

Traditionally, Plato has been regarded as the father of the Reformative theory and his position can be summarized in the following three positions:

- The state is related to the delinquent as parent to a child.
- Wickedness is a mental disease.
- Punishment is a moral medicine for wicked acts, and however unpalatable it may be, it is absolutely necessary. ■

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UNIT 6

Public/Civil Service Values and Ethics in Public Administration

After reading this chapter you will be able to understand

- Ethics in Public Administration and its problem
- Ethical concerns and dilemmas in government and private institutions
- Laws, rules, regulations and conscience as sources of ethical guidance
- Accountability and ethical governance
- Strengthenng of ethical and moral values in governance
- Ethical issues in international relations and funding
- Corporate governance

Public Administration

Public administration is the executive branch of government. It essentially deals with the machinery and procedures of government as these are used in the effective performance of government activities. Administration has been defined as a co-operative human effort toward achieving some common goals. Public administration is that species of administration which operates within a specific political setting.

The 'public' aspect of public administration lends special character to it. The adjective can be looked at formally to mean 'government'. So, public administration is government administration, the focus being specifically on public bureaucracy.

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With the growing importance of government in the wake of expanding public functions, public administration has become highly complex and more and more specialized.

Ethics and Accountability in Governance

Public administration is an activity which encompasses each and every aspect of human life. The explosion and spread of information and communication technology, the wide acceptance of democratic form of government and changing social norms enable the people to demand higher standards of ethics, transparency and accountability in the public sector. Ethical public service is considered as a prerequisite of well functioning democracy. Ethical, transparent and accountable public sector is also a precondition of good governance that ensures sustainable development and responsive public policy. It also helps to improve the performance of public sector by preventing systemic corruption.

The effectiveness of public administration depends on the understanding and cooperation between the citizens and public servants. The primary concern of the citizens in a good civil society is that their government must be fair and good. For a Government to be good it is essential that their systems and sub-systems of Governance are efficient, economical, ethical and equitable. In addition the governing process must also be just, reasonable, fair and citizen friendly. For these and other qualities and good governance, the administrative system must also be accountable and responsive, besides promoting transparency and people's participation.

There is a great deal of alienation between the people and the public service which undermines the legitimacy, effectiveness and credibility of public administration. To bridge this gap it is necessary to create confidence in the minds of the people towards the competence, fairness, honesty, impartiality and sincerity of the public services.

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The manipulation and tack of ethics in administration not only reduces the effectiveness but also has several negative effects for the society as a whole. It leads to poor administration and mismanagement of human and material resources. Several rules, regulations and laws exist to ensure impartiality, honesty and devotion among the public servants. But still there remain a vast area of administrative activity which cannot be controlled by formal laws, procedures and methods. 'In such cases administrators are accountable only to their own conscience, their own sense of duty towards the social welfare. Along with that there is also a need to have an "ethics infrastructure" that not only provides guidance for good conduct but also administratively and legally punishes misconduct. The "ethics infrastructure" includes measures to enhance and preserve organizational integrity, access to information that promotes transparency and accountability and prevents misuse of power by public personnel. Decision-making by administrators must be based on fairness, transparency and accountability and a sense of the public interest, as well as the careful exercise of the legal authorities delegated by Parliament.

Ethics in Public Administration

The American Society of Public Administration (ASPA) has laid down the code of Ethics for Public Administrators-

* The public servants should put the public interest above the self interest and subordinate institutional loyalties to the public good. They are committed to exercise discretionary authority to promote the public interest. Accordingly they should oppose all forms of discrimination and harassment, and promote affirmative action.

- The public servants should recognize and support the public's right to know the public's business and involve citizens in policy decision-making. The public servants should encourage the people to participate actively in the affairs of the government.

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- It is the duty of the public servants to respect the Constitution and the Law that define responsibilities of public agencies, employees, and all citizens and promote constitutional principles of equality, fairness, representativeness, responsiveness and due process in protecting citizens' rights.
- The public servants are committed to perform their duties honestly and should not compromise them for advancement, honour, or personal gain. They should conduct official acts without favouritism and ensure that others receive credit for their work and contributions.
- The public officials should make every effort to strengthen organizational capabilities to apply ethics, efficiency and effectiveness In serving the public.
- The public officials should strive for Professional Excellence. They should work hard to strengthen individual capabilities and encourage the professional development of others to upgrade competence.

Characteristics of Public Administration

- It is part of executive branch of government.
- It is related with the activities of the state.
- It carries out the public policies.
- Public Administration is politically neutral.
- It realises the aspirations of the people as formulated and expressed in the laws.
- Scholars insist on the commitment and dedication to the well being of the people. Otherwise Public Administration behaves in a mechanical, impersonal and inhuman way.

Ethics in Public Administration: Status

in spite of growing Interest in ethics, the public is not convinced that there has been much improvement in bureaucratic behaviour

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This may be because schools of public administration have not uniformly instituted courses on ethics. It is recognized that there is no uniform approach to developing course in or teaching of ethics in schools of public administration.

Public administration is a complex, diverse and exciting discipline involving theories, paradigms and practices often borrowed from other sciences. Many scholars have bemoaned the fact that public administration has been in a state of chaos for years. Some scholars have questioned whether it is a separate discipline at all. But regardless of these allegations, there is no question about the need for and improvement of courses in public administration. In this regard it is noted that if public administration itself has an identity crisis, it should not be surprising that ethics for public administrators is undergoing a worse identity crisis.

Ethics in Public Administration: Problems

Public administration's treatment of ethics involves many things, including whether to use philosophy as its foundation and, if so, whose philosophy to use. Should the works of Aristotle and St. Thomas Aquinas-involving the existence of a real, external world with objective rules, laws and regulations- be the foundation of ethics? Or should the philosophy of Plato and the German Idealists dictate the approach? Do we live in a subjective world created by human consciousness, where consciousness dictates reality? Are right and wrong things we interpret as such? Are right and wrong relative to every actor? Or maybe there is a combination of both approaches that can help in the teaching of ethics.

In this context, John Rohr and Terry Copper, while recognizing the importance of teaching ethics in schools of public administration, considers it difficult to do justice to ethics if classical or political ethics (as he calls it) is not the foundation. Yet this situation creates a dilemma: If ethics is derived from philosophy, philosophy will likely be short-changed owing to a heavy course load for public administration students. On the other hand, If schools offer no

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courses in philosophy, or only "a smattering of philosophy/ the students are short changed. Rohr, thus develops an ethical foundation for bureaucrats based on the LLS. Constitution and on opinions of the U.S. Supreme Court. Rohr writes:

> The best educated means of preparing bureaucrats to fulfil this obligation (an oath to uphold the Constitution) is to use Supreme Court opinions on salient 'regime values' to encourage them to reflect on how these values might best influence their decision making as persons who govern.

According to Rohr, then, the best approach is to use Supreme Court Opinions on salient regime values, encouraging public servants to consider how these values best influence their decision making. Regime values are those of the political entity brought into existence by the creation of the U.S. Constitution. Ruhr believes that regime values derived from studies of Supreme Court opinions reflect the public interest or the salient values of society. However, while public administrators can make ethical decisions by studying opinions of the Supreme Court, these opinions are often tedious and baring. Divergent opinions may provide a framework for decision making, but not necessarily for making the right decisions, which is the core of ethics.

Further, Rohr's reliance on the Supreme Court to guide public administrators in discretionary administrative decisions may be useful in the United States. But it is unlikely that these opinions will be helpful to public administrators in other countries. This same criticism is applicable to Immanuel Kant's argument, which claimed that obedience to law through application of the so<ailed Categorical Imperative made human actions ethical. Apparently something above and beyond the LLS. Constitution and the opinions of the Supreme Court is needed to guide the ethics of public administrators.

Other authors think that classical ethics is outdated, that the principles developed by human reasons and related somewhat to theology are outmoded and no longer workable, particularly for

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people working in the public sector. What they suggest, arid what practice frequently bears out, is a so-called ethical principle that might be termed the "done thing." Adolescents are great advocates of this principle: "Everybody is doing it." The claim that everyone is doing something does not always mean that everyone is actually doing it; and if everyone is doing it, that does noL necessarily mean that the done thing is right. There must be a criterion for morality (what is right or wrong) other than the "done thing".

Business writers such as Peter Drucker, who make no distinction between public and private administration, deny that there is a separate ethics for business. By implication, public administrators do not need a separate code of ethics. Drucker writes: "But there is neither a separate ethics of business, nor is there one needed. According to Drucker, !he only ethics needed for all professionals is contained in the Hippocratic Oath "primum non nocere" ("above all, not knowingly to do harm"). This oath contains a general ethical principle of natural law and is addressed in classical ethics.

Determinants of Ethics in Public Administration

The major determinants of administrative conduct in the public sector include:

- The political construct of which public administrators are a part
- The legal framework
- The administrators and public employees who are responsible for the provision of public services
- The citizens and users of public services that are a part of the civil society.

First, the determinants of ethics in public administration with regard to the individual attributes of public/civil servants include ethical decision-making skills, mental attitude, virtues and professional values. Secondly, the organizational structure dimension

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is explained by dear accountability, collaborative arrangements, dissent channels, and participation procedures. Third, the political organizational culture includes artefacts, beliefs and values, and assumptions. Leadership is important in the development, maintenance, and adaptation of organizational culture. Ethical behaviour is encouraged when organizations have a climate where personal standards and employee education are emphasized, where supervisors stress the truth, and where employees regularly come together to discuss ethical problems. Finally, societal expectation includes public participation, laws, and policies.

Ethical Issues in Indian Civil Services

Today the Indian Civil Services are facing a large number of ethical issues and most of them, directly or indirectly, are related to corruption. Corruption is an important manifestation of the failure of ethics. The word 'corrupts' is derived from the Latin word 'corruptus', meaning 'to break or destroy'. The word 'ethics' is from original Greek term 'ethicos', meaning 'arising from habit'. It is unfortunate that corruption has, for many, become a matter of habit, ranging from grand corruption involving persons in high places to retail corruption touching the everyday life of common people.

There are two facets to corruption:

- The institution which is highly corrupt;
- Individuals who are highly corrupt.

There is a need to work on public profiteering and also value to be attributed to the services rendered by officers. Interlocking accountability is a process by which evaluation could be done easily and accountability ensured.

Various ethical issues faced by our civil services are:

- Asymmetric distribution and Abuse of Power
- Lack of accountability

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- Political interference and Cronyism
- Lack of integrity
- Lack of action against corrupt officials
- **Lack of proper protection to whistleblowers**
- Lack of proper Code of Conduct for Pubfic Servants
- Lack of transparency and sensitivity towards common man

in this regard, the Second Administrative Reform Commission [ARG has observed as under-

- Corruption is a matter of concern particularly at the cutting edge levels of the bureaucracy.
- There is a perceptible lack of commitment in public servants towards redressal of citizens' grievances.
- Reddapism and unnecessary complex procedures add to the hardship of citizens.
- Government servants are rarely held to account and complaints to higher authorities usually go unheeded.
- Generally the attitude of many public functionaries is one of arrogance and indifference.
- Frequent transfer of officers reduces their effectiveness and also dilutes their accountability.
- Sometimes there is "unholy" nexus between unscrupulous politicians and bureaucrats leading to poor governance.

Value Conflicts

A value conflict occurs when individuals or groups of people hold strong persona! beliefs that are in disagreement within themselves or in disagreement with the institution's/ organization's values. These may include religious differences, cultural differences or differences in upbringing.

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Values-based conflicts are particularly pervasive in public policy. Indeed, nearly all public (policy) controversies entail divergent beliefs about what is right and what is wrong, what is just and what is unjust. Many policy decisions are essentially choices among competing values. Simply consider how:

- Efforts to promote equal opportunity might result in conflicts among values such as efficiency, justice, equality, diversity, merit, and individual achievement;
- Crime prevention policies might trigger competition among values such as liberty, safety, due process, equity, effectiveness, access, and justice; and
- Domestic security policies might produce conflict among values such as knowledge generation, information sharing, confidentiality, privacy, civil liberties, individual rights, and safety.

Framework of Ethical Behaviour

The role of ethics in public life has many dimensions. At one end is the expression of high moral values and at the other, the specifics of action for which a public functionary can be held legally accountable. Any framework of ethical behaviour must include the following elements:

- Codifying ethical norms and practices.
- Disclosing personal interest to avoid conflict between public interest and personal gain.
- Creating a mechanism for enforcing the relevant codes.
- Providing norms for qualifying and disqualifying a public functionary from office.
- Public Interest and Public Administration

The public interest refers to the “common well-being” or "general welfare". The public interest is central to policy debates,

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politics, democracy and the nature of government itself. Government has a universalistic character. It has to serve the common good without making any sort of distinction between man and mam The importance of a sense of public interest as a wider ethical commitment in public administration assumes significance in this context.

Philosophies of Public Interest

Philosophies of public interest fall broadly into four classes-

- Intuitionist Philosophy
- Perfectionism
- Utilitarianism
- Theory of Justice

Intuitionist Philosophy

It seeks to Justify existing practices by pointing out that in conflicting situations, the administrator chooses an alternative by intuition. In other words, what the administrator actually does is an intuitionist solution which seems to him the right course of action under given circumstances. This philosophy does not provide any guideline for action, nor does it spell out an explicit theory of public interest

Perfectionism

The administrator views public interest from the standpoint of promotion of excellence in all spheres of social activities. Public resource should be spent in such a way that the best members of the society benefit most from the expenditure. Thus seen, Perfectionism is an elitist philosophy and anti-egalitarian and is not compatible with democratic society. It favours excellence at the expense of social equality.

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Utilitarianism

According to Utilitarian Philosophy the public interest Is served when a public policy makes as many as possible better-off even though it may render a few worse-off. Public interest is judged by the augmentation of the net balance of social satisfaction.

Theory of Justice

This theory was propounded by the philosopher John Rawls. Rawls suggests two basic principles of justice to lest public interest. The first principle is that each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others. The other principle postulates that public policies are reasonably expected to be to everyone's advantage and public position and offices are open to all. In case of conflict between these principles, the second principle is expected to prevail and give way to the first.

Rational decision-making in public administration has to have an ethical framework. These principles provide an operating logic for the determination of public interest by the decision- makers.

Human Rights

Human rights are commonly understood as "inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being." Human rights are thus conceived as universal (applicable everywhere) and egalitarian (the same for everyone). These rights may exist as natural rights or as legal rights, in local, regional, national, and Internationa! law. The doctrine of human rights in international practice, within international law, global and regional institutions, in the policies of states and in the activities of non-governmental organizations, has been a cornerstone of public policy around the world.

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The main characteristics of human rights are-

- They are universal and inalienable
- They are equal and non-discriminatory

Egalitarianism

Egalitarianism is a trend of thought that favours equality for particular categories of, or for all, living entities. Egalitarian doctrines maintain that all humans are equal in fundamental worth or social status. According to the Merriam-Webster Dictionary, the term has two distinct definitions in modern English. It is defined either as a political doctrine that all people should be treated as equals and have the same political, economic, social, and civil rights, or as a social philosophy advocating the removal of economic inequalities among people or the decentralisation of power. Some sources define egalitarianism as the point of view that equality reflects the natural state of humanity.

Dilemma

A dilemma is a problem offering two possibilities, neither of which is practically acceptable. One in this position has been traditionally described as "being on the horns of a dilemma", neither horn being comfortable.

Ethical Dilemma

An ethical dilemma arises from a situation that necessitates a choice between competing sets of principles. Thus an ethical dilemma can be described as a circumstance that requires a choice between competing sets of principles in a given, usually undesirable or perplexing, situation. There are three conditions that must be present for a situation to be considered as ethical dilemma-

- The first condition occurs in situations when an individual, called the "agent," must make a decision about which course

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of action is best. Situations that are uncomfortable but that don't require a choice are not ethical dilemmas.

- The second condition for ethical dilemma is that there must be different courses of action to choose from.
- Third, in an ethical dilemma, no matter what course of action is taken, some ethical principle is compromised. In other words, there is no perfect solution.

Types of Ethical Dilemmas

Conflicts of interest are possibly the most obvious example that could place public sector leaders in an ethical dilemma. Other types of ethical dilemmas in which public servants may find themselves include conflict between: the values of public administration; justifications for the institutions; aspects of the code of conduct; personal values and supervisor or governmental directive; professional ethics and supervisor or governmental directive; personal values and professional ethics versus governmental directive; blurred or competing accountabilities; and the dimensions of ethical conduct.

These dilemmas are in three broad categories:

- **Personal Cost Ethical Dilemmas**- This dilemma arises from situations in which compliance with ethical conduct results in a significant personal cost {e.g. jeopardizing held position, missing opportunity for financial or material benefit, injuring valued relationship etc.] to the public-servant-decision-maker and/or the Agency;
- **Right-versus-Rrght Ethical Dilemmas**- This dilemma arises from situations of two or more conflicting sets of bona fide ethical values (e.g. public servants' responsibility of being open and accountable to citizens versus that of adhering to the Oath of Secrecy/Confidentiality etc.).
- Conjoint Ethical Dilemmas- This dilemma arises from situations in which a conscientious public-servant-decision-maker is

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exposed to a combination of the above-indicated ethical dilemmas in searching for the "right-thing-to-do".

Examples of Ethical Dilemmas

Following are some examples of ethical dilemmas for a public administrator-

* Would he keep silent when he finds that administrative discretion is abused, or that corruption or nepotism are practiced? Or should he blow the whistle?
* Should he actively engage in pressure group activities because he sympathizes with their views?
* Should he actively participate in party politics? Or should he endeavour only to promote the public good and uphold the high standards of public office?

Resolving Ethical Dilemma

Public servants should ask themselves following questions when making ethical decisions:

* Is the action legal and consistent with Government policy?
* Is the action in line with my agency's goals and Code of Conduct?
* Do I think it's the right thing to do?
* What will be the outcomes for the agency, my colleagues, other parties and me?
* Can I justify doing it?
* What would happen if the action was publicly scrutinised?

Laws, Rules, Regulations and Conscience as Sources of Ethical Guidance

There are two sources of guidance by which human beings can judge the morality of their actions. These sources are particularly

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important to public administrators and may offer clearer and more practical guidance. One is outside the actor, and is law; the second is within the actor, and is conscience. These two impose on us an obligation to be moral- that is, to do good and avoid evil.

The Notion of Law

In ethics, law has a moral connotation. St. Thomas Aquinas defined law as "an ordinance of reason for the common good, promulgated by him who has care of the community." Aquinas explained that the word lex (Latin for "law") comes from the Latin word ligare, which means "to bind/ It induces people to act or restrains them from acting. It imposes an obligation.

Law, then, sets up a course of action that must be followed. St. Thomas Aquinas said that, in drawing up a course of action, the legislator must act reasonably. What the legislator commands must be good, possible and just.

Regulation

Although law is an ordinance or a rule resulting from human reason, it is not the same as a regulation or ordinary rule. Regulations often help clarify laws, although sometimes they do not achieve that objective. Regulations focus on the individual good, whereas the purpose of a law is to promote the common good. On the basis of source, the authority to enact a law belongs to those with jurisdiction or those who are lawfully in charge of the community. The source of a regulation is any private authority, such as an organization, a superior or a head of household. On the basis of extent, a law does not ordinarily bind outside the territory of the legislator. For example, U.S. Laws do not bind in Europe, whereas a regulation may bind a person wherever he or she goes.

Divisions of Law

St. Thomas Aquinas recognized that two kinds of law exist in time:

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- Natural Law
- Positive Law

Natural law developed with time or with the coming of human beings. It is based on human nature, and human reason can discover it. Positive law also developed with time. It consists of laws that depend on the free will of the legislators and are promulgated by some external sign.

Natural law provides some general guidance on what is right and wrong for human beings. While human reason is capable of discovering some principles of natural law, these principles are often vague and general. People can be invincibly ignorant of some principles of natural law. Because of the vagueness of natural law, positive laws based on natural law are necessary to clarify at least some principles. Together natural law and positive laws provide guidance on the morality of human actions.

Qualities of Natural Law

According to SC Thomas Aquinas, natural law has two qualities:

- Universality
- Immutability

Universality means that natural law extends to all human beings. All human beings have the same human reason and can have at least some knowledge of what is right and what is wrong. A second quality of natural law is its immutabillty-that is, it does not change. It remains the same for human beings of all places and at all times. The reason natural law does not change is that human nature does not change.

Civil Law

A civil law is a kind of positive law. A civil law is one that a legislator freely enacts and promulgates. As the natural laws are

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generic and vague, civil laws aim to clarify them. To be more specific, civil laws do three things:

- They sometimes declare or repeat natural law;
- They sometimes determine or clarify what natural law contains; and
- They often concern issues not commanded or forbidden by natural law

Effects of Natural, Positive and Civil Laws

Natural law has two effects on human beings. First, natural law not only tells us what is good, it also imposes a 'moral obligation' to do good and avoid evil. A 'moral obligation' is the necessity of carrying out something commanded by law we must obey. Natural law imposes a 'moral obligation' on all human beings, regardless of race, religion or sex, to obey its principles. The second effect follows from the notion of all laws: there are penalties and sanctions attached to natural law. For obeying natural law, there are rewards; for disobeying, there are punishments.

If positive laws are based on natural law and often clarify natural law, there is an obligation to obey positive laws. This 'moral obligation' rests on the assumption that positive laws conform to natural law, or do not command what natural law forbids or forbid what natural law commands.

Obeying civil laws rests on the assumption that there is a lawful government with proper authority which enacted the law, that the laws are not contrary to natural law, that the civil laws are morally possible to obey, that they are for the common good and that the lawful authority has sufficiently promulgated it. If any of these conditions is absent, citizens need not obey a particular civil law. This is the argument favouring civil disobedience, however such disobedience may be illegal and result in punishment.

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Conscience: A Source of Ethical Guidance

The discussion of law focused on principles of morality outside human beings. Conscience is something within human beings that determines the morality of human actions. Conscience is a special act of the mind that comes into being when the intellect passes judgment on the goodness or badness of a particular act. It is a practical judgment on particular, concrete, human actions.

From a deontological perspective, conscience is a judgment—an act of the intellect. It is not a feeling or an emotion, but, rather, an intellectual decision. It is also a decision with a view to a particular action. Conscience can make a practical judgment on the morality of either a past action or an action about to occur.

Conscience is different from law. Law states a general rule concerning actions; conscience lays down a practical rule for specific action. Conscience applies the law or rule to specific actions; therefore it is wider than law. Some have said that conscience is to law as a brush is to paint.

Accountability and Ethical Governance

Accountability and ethics are closely related. Effective accountability helps the achievement of ethical standards in the governance system. For example, legislative or parliamentary control through questions, debates and committees provide ample opportunity to the people's representatives to raise, among other things, issues of ethics and morality in the governance system.

"Ethics can be considered a form of self-accountability, or an 'inner-check' on public administrators' conduct" (Rosenbloom and Kravchuk, 2005). Self-accountability and external accountability are interrelated for it is the latter that imposes expectations on the former. However, there are certain time-tested norms of moral conduct that determine the nature of self-accountability. These precepts of moral philosophy may be considered as internal checks. Essentially, however, it is the synthesis of external as well internal

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checks that determine the parameters of administrative ethics. The higher the level of ethics, the lower the need for strong instruments of external accountability and control Conversely, lower the level of ethics, higher the need for potent external means for ensuring accountability.

Accountability

Accountability means answerability of officials for their decisions and actions. Accountability ensures that officials in public, private and voluntary sector organisations are responsible and answerable for their actions and that there is redress when duties and commitments are not met.

In other words, accountability means liability to give a satisfactory account of the exercise of the power of discretion vested in some authority to which it is due, failing which, some kind of punishment may follow,

The strength of accountability and transparency in a programme ora system is expressed by its efficiencies and effectiveness, which in turn may be measured by the extent and quality accrued by the target beneficiaries.

Dimensions of Accountability

The core values involved in the question of accountability are democracy, efficiency and ethics. Adam Wolf acknowledges at least five dimensions in the concept of accountability:

- Legal dimensions (Rule of Law)
- Fiscal dimensions {Use of public funds)
- Policy and performance dimensions (Meeting goals, promises and expectations)
- Democratic dimensions (Informing and consulting legislatures and citizens)

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- Ethical dimensions (Behaving in accordance with codes of ethics or general moral standards).

These dimensions all exist implicitly in the everyday affairs of public administration and guide behaviour even if they are not raised as explicit concerns.

Responsibility and Accountability

The term accountability should not be confused with the term responsibility. Responsibility refers to the public servant's responsiveness to the public, by methods and procedure to enforce the public will, while accountability denotes the specific method and procedure to enforce a public servant's responsibility.

World Bank's View on Accountability

World Bank has identified two broad types of accountability-

- Micro Accountability
- Macro Accountability

Micro Accountability

Micro accountability remains critical, especially in ensuring government responsiveness to the views and needs of the public for which services are intended. The concepts of 'exit' and 'voice' have been used to underscore the importance of micro accountability. For instance, competition or scope for the public to 'exit' when dissatisfied with a service, may have a salutary effect on the agency concerned by reducing its revenues and then by making the careers or pay of the staff less secure. Similarly, 'voice' in the sense of participation of the public may influence the quality or volume of a service through some form of articulation of preferences of demand. Accountability is increased, if such Voice' makes the public agency more responsive to public demands.

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World Bank emphasizes to find out the ways of increasing 'exit' and Voice' at the design stage of service delivery projects to enhance the accountability and improve the service delivery system.

Macro Accountability

World Bank has stated that the macro accountability has two dimensions-

- Financial accountability
- Accountability for overall economic performance

Financial accountability involves, as the Bank document identifies-

- A properly functioning government accounting system for effective expenditure control and cash management;
- An external audit system which reinforces expenditure control by exposure and sanctions against misspending and corruption; and
- Mechanisms to review and act on the results of audits and to ensure that follow up action is taken to remedy problems identified.

Accountability for economic performance involves review of resource use in public investment programs and general strengthening of the capacity of governments to monitor and evaluate their own economic performance including proper resource use.

Exit, Voice and Loyalty Theory

This theory was given by Albert O. Hirschman. According to this theory, members of an organization, whether a business, a nation or any other form of human grouping, have essentially two possible responses when they perceive that the organization is demonstrating a decrease in quality or benefit to the member: they can 'exit' (withdraw from the relationship); or, they can

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'voice' (attempt to repair or improve the relationship through communication of the complaint, grievance or proposal for change). For example, the citizens of a country may respond to increasing political repression in two ways; emigrate or protest. Similarly, employees can choose to quit their unpleasant job, or express their concerns in an effort to improve the situation.

While both exit and voice can be used to measure a decline in an organization, 'voice' is by nature more informative in that it also provides reasons for the decline. Exit, taken alone, only provides the warning sign of decline. Exit and voice also interact in unique and sometimes unexpected ways; by providing greater opportunity for feedback and criticism, exit can be reduced; conversely, stifling of dissent leads to increased pressure for members of the organization to use the only other means available to express discontent, departure. The general principle, therefore, is that the greater the availability of exit, the less likely voice will be used. However, the interplay of loyalty can affect the cost-benefit analysis of whether to use exit or voice. Where there is loyalty to the organization (as evidenced by strong patriotism politically, or brand loyalty for consumers), exit may be reduced, especially where options to exit are not so appealing (small job market, political or financial hurdles to emigration or moving).

By understanding the relationship between exit and voice, and the interplay that loyalty has with these choices, organizations can craft the means to better address their members' concerns and issues, and thereby effect improvement. Failure to understand these competing pressures can lead to organizational decline and possible failure.

Government Accountability

Government accountability means that public officials- elected and unelected- have an obligation to explain their decisions and actions to the citizens.

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Government accountability is achieved through the use of a variety of mechanisms- political, legal and administrative- designed to prevent corruption and ensure that public officials remain answerable and accessible to the people they serve.

Government and Governance

The term governance has wider meaning and implication than the government. Government refers to the machinery and institutional arrangement of exercising the sovereign power for serving the internal and external interest of the political community, whereas governance means the process as well as result of making authoritative decisions for the benefits of the society. Government applies to ruling the people by official machinery while governance relates to serving the people.

Governance is a system in which exercise of the legitimate authority of the states doesn't become the prerogative of elected leaders or selected bureaucrats rather it seeks to ensure the active participation of people in this process in a just, transparent and accountable manner.

Philosophical Foundation for Good Governance

The term 'good governance' may appear to be in vogue recently in the donor's lexicon as a condition precedent for aid in developing countries, but it can actually be traced back to the ancient Greek period if we catch the essence of Aristotle's fundamental statement that "the state came into existence for the sake of mere life, but continued for the sake of good life." If we look for the answer what constitutes "good life", we will eventually be led to find the components of good governance of the present day. Good life begins with the guarantee of the protection of life, liberty and property for all, the underlying conditions of the origin of state, which Thomas Hobbes, John Locke, and Jean-jacques Rousseau indicated in their "social contract" theories. In the words of John Locke, government shall govern "so long as they

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can protect the interest of the people or the trust the people have placed in them. This is how the concepts of democracy, rule by consent, and good governance came into existence in the theory and practice of government. Now, for the citizens in democratic state, it is vital that all powers of state should be exercised in a way conformable to their ideas of liberty, fair dealing and good administration. This feeling of the citizens resulted in the practice of maintaining 'rule of law', 'accountability' and 'transparency' in administration - the basic components of good governance in any democratic Country.

Good Governance

There is no single and exhaustive definition of 'good governance', nor is there a delimitation of its scope that commands universal acceptance. Depending on the context and the overriding objective sought, good governance has been said at various times to encompass: full respect of human rights, the rule of law, effective participation, multi-actor partnerships, transparent and accountable processes and institutions, and attitudes and values that foster responsibility, solidarity and tolerance.

Participation

Inequalities and discriminations of various kinds like gender, race, caste, creed, place of birth etc. are addressed in the good governance by participation of various stakeholders in governance either through direct or through legitimate intermediate institutions or representatives. Informed and organized participation is emphasized. It means freedom of association and expression for all to raise their concerns.

Ethical Governance

Ethical Governance is a concept related to good governance. It requires that public officials adhere to the principle of serving others

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by setting a high standard of moral conduct and by considering their jobs as vocation. Vocation here means a purpose-driven life devoted to the well being of all.

Parameters of Good Governance

- Voice and accountability;
- Absence of political instability and violence;
- Government effectiveness;
- Reasonableness of the regulatory burden;
- The rule of law; and
- The absence of graft.

Of these, the last two are the most directly significant in the context of ethical governance. 'Rule of law' measures whether crime is properly punished or not; enforceability of contracts; extent of black market; enforceable rights of property; extent of tax evasion; judiciary's independence; ability of business and people to challenge government action in courts etc. 'Absence of graft' measures relative absence of corruption among government, political and bureaucratic officials; of bribes related to securing of permits and licences; of corruption in the judiciary; of corruption that scares off foreign investors.

Strengthening of Moral and Ethical Values in Governance

There are several avenues through which the values can be instilled in the public service. We consider some of them here:

- Leadership
* Working environment
* Workable codes of conduct and values statements
- Professional socialisation mechanisms such as training

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- Risk review
- Controls

In this context, a set of twelve recommendations/ principles have been prepared by a group of OECD countries. The objective of the recommendations is to help the countries to evaluate institutions, systems and mechanisms which they use to promote compliance with the ethical norms of public administration. The principles may be applied at the national or at a level of lower administration. Political leaders may use the principles in evaluating the ethical management system and the extent to which the ethical norms are used in administration. These principles, in brief, are as follows:

- Ethical standards for public service should be dear
- Ethical standards should be reflected in the legal framework
- Ethical guidance should be available to public servants
- Public servants should know their rights and obligations when exposing wrongdoing
- Political commitment to ethics should reinforce the ethical conduct of public servants
- The decision-making process should be transparent and open to scrutiny
- There should be clear guidelines for interaction between the public and private sectors
- Managers should demonstrate and promote ethical conduct
- Management policies, procedures and practices should promote ethical conduct
- Public service conditions and management of human resources should promote ethical conduct
- Adequate accountability mechanisms should be in place within the public service

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- Appropriate procedures and sanctions should exist to deal with misconduct

Risk Review

Values can be enhanced in administrative system by reviewing potential risk areas and developing a 'values and ethics risk management' strategy. Certain elements of public service work are more sensitive to value conflicts than others, and the OECD identifies tax, customs and justice administration, as well as the political-administrative interface, as particularly relevant in this regard. Identifying the areas which are most at risk of value (or ethical) conflicts and developing specialist codes of conduct (process manuals) for the staff working in these areas are necessary for the development of a value-based working environment.

Control as a Means to Strengthen the Values and Ethics in Governance

Prevention is better than cure. Heintzman identifies that effective controls are arguably the dominant factor in ensuring high levels of values and ethics performance in public organisations Such controls include:

- Clear policies, procedures and controls
- Separation of duties and oversight
- Effective monitoring, audit and reporting
- Clear mechanisms for reporting wrongdoing
- Effective and transparent action when wrongdoing is discovered

Civic Society Engagements

The citizens' voice can be effectively used to expose, denounce and restrain corruption. This calls for the engagement of civil society and the media in educating citizens about the evils of corruption, raising their awareness levels and securing

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their participation by giving them a 'voice'. This introduces a new dimension to the concept of accountability of government to the people otherwise than through the traditional horizontal mechanisms of legislative and legal accountability of the executive and internal vertical accountability. Civil society here refers to formal as well as informal entities and includes the private sector, the media, NGOs, professional associations and informal groups of people from different walks of life.

In India, there have been many outstanding cases of civil society engagement. In fact, civil society initiatives to improve governance In India have grown in scale and content from the early 1990s. There have been efforts in different parts of country to challenge current paradigms, test alternative approaches and share the learning from these experiences. Some successful civil society engagements are:

- Public Interest Litigation by Common Cause Delhi and Consumer Education and Research Centre, Ahmedabad, the Association for Democratic Reforms of Ahmedabad;
- Report Card Survey of Public Affairs Centre, Bangalore;
- Jan Sunwai by Mazdoor Kisan Shakti Sangathan, Rajasthan and Parivartan, Delhi;
- Campaign for Electoral Reforms and Citizens' Charters by Lok Satta, Hyderabad

Integrity Pacts

Integrity Pact is a mechanism that helps in promoting transparency and creating confidence in public contracting. The term refers to an agreement between the public agency involved in procuring goods and services and the bidder for a public contract to the effect that the bidders have not paid and shall not pay any illegal gratification to secure the contract in question. For its part, the public agency calling for bids commits to ensuring a

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level playing field and fair play in the procurement process. An important feature of such pacts is that they often involve oversight and scrutiny by independent, outside observers.

Proactive/ Preventive Vigilance

Preventive vigilance attempts to eliminate or reduce the scope for corruption in the long run. The main emphasis in proactive vigilance has been on identifying suspected corrupt elements and then devising mechanisms to weed them out or to ensure that they do not occupy sensitive positions. In this regard, the following main tools have been evolved:-

- List of Officers of Doubtful Integrity containing the names of all officers against whom disciplinary action on some vigilance related issue is pending or who is undergoing punishment on a vigilance related matter.
- Agreed List of Suspect Officers containing the names of those officers on whom there is a strong suspicion of indulging in corruption. These officers are kept under watch.
- List of Undesirable Middlemen containing the names of middlemen, touts, etc. dealing with sensitive organizations.
- Annual Property Returns which help in identifying the suspected corrupt elements/practices.
- Vigilance Clearance is obtained from the Vigilance Commissioner for Board level appointments in PSUs and PSESs.

International Ethics

International ethics refers to the good that international interactions, exchanges, relations can bring to our planet earth and to all life forms and which can be harmed by unfriendly, hostile, uncooperative behaviours. Aware that the harms that one country

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can do to another and to the international space and relations, international ethics offers insights into how nations and other entities treat other nations and its people.

International ethics may be fruitfully defined as that which enables one to participate more actively in shaping and building good international community.

Various agencies of the UN by their presence and action in various countries, promote certain universal principles that transcend the boundaries of individual nations and the ethical principles pursued by individual nations.

Ethics in International Affairs/ Relations

For this section, we define the term "ethics" as the department of study concerned with the principles of human duty. Ethics, as the term is used in the international sphere, will be defined as "the study of the nature of duties across community boundaries. It is the study of how members of 'bounded' communities, mostly nation-states, ought to treat outsiders and strangers and specifically whether it is right to make such distinctions".

It is worth mentioning that the discipline of international relations is concerned with explaining and discussing issues that are inherently ethical in nature, as evidenced by a review of some of the most commonly asked questions in the area. For instance, as Chris Brown states in International Relations Theory, the moral standing of the sovereign state is one of the major topics discussed by international theory. Mervyn Frost further identifies as election of such questions. For example, when is intervention by one state in the domestic affairs of another state justified? When may states justifiably go to war? Answers to these ethical and normative questions are central to international relations theory.

International Ethics under various Approaches

The impact of various approaches of International affairs over

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international ethics may be explained under following headings-

- Realism
- Idealism
- Constructivism
- Cosmopolitanism
- Equality of Life

Realism and International Ethics

In the international realm, realism holds that the only thing that really matters is power – what power a country has. Nothing else matters – morality, ethics, law, and political systems, legal systems, cultural systems – are all irrelevant. Realism conceives the international sphere as a space where "anarchy" prevails and there are no rules.

The realist approach to international sphere or international relations is simply to deny any role for common or shared ethics, and create an ethically neutral zone or an ethics free zone which can be tilled by the power of one who is dominant. Pursuing realism and realist policies will be detrimental to our common world with its common vision of a humane future for everyone.

Idealism and International Ethics

Idealism focuses on "common interests" between nations, and not necessarily at the power or power distance or at power balance. It seeks to build the international sphere on the basis of idealist values that are of common interests to nations participating in any international issues and problems.

In idealism, the international system, international order and the international sphere follow rules, laws and institutions. In idealism, thus ethics, morality, laws, legal systems, international institutions all have a central place. Thus idealism contrasts sharply

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with realism which emphasized only power. The world becomes less dramatic and less dangerous, even though conflicts are far from removed.

Constructivism and International Ethics

Constructivism focuses on things like foreign policy, diplomatic initiatives, etc. to shape international relations and the international sphere where a country has credible influence. In these things the focus is on domestic politics and how it shapes foreign policy with what goals in mind. Basically constructivism allows for influence of national identities and its constructions on the international sphere.

A flavour or dimension is added through identity politics into international sphere and relations. Constructivism shows that nations resist any threat to their identities, nationalism, national sovereignty that are perceived. They need not be real at all. This works against attempts to make the world a better place or to change world systems or world order.

Cosmopolitanism and International Ethics

Cosmopolitanism shares something in common with idealism, namely, do the right thing. The right thing to be done is to behave as you would want others to behave. Behave in ways that you think others should behave. It focuses on how we interact in a global community. What is relevant is the global community since we interact with people in other countries. It holds that since we interact with other countries, we have a moral duty to treat people of that country morally as moral people. Cosmopolitanism thus empowers international ethics and the development of "global values and ethics" fully.

Cosmopolitanism argues for following morally lawful behaviour. Where rules and laws do not exist, it would require that we come together and negotiate the rules and laws that are ethical to follow and follow them in our relations with people of other countries and in our interactions with people of other countries.

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Equality of Life arid International Ethics

Every life may be considered as having equal moral weight. In this belief, valid it one holds such beliefs, it is the global interest that count as much as domestic interests. No preference is given by governments or by anybody else to the welfare of citizens of that country. There are no differentiating factors recognized by such governments that distinguish between the welfare of its citizens and those belonging to another country. Everyone has equal rights. Everyone is treated equally in equal respect.

Respect for life should guide international ethics, in thought, word and deed. When that day comes when we respect the right to life of the unborn, it will be truly a day of universal peace. If you have to make decision about which world you want to live in, without knowing what position you will be in, you would choose a world that protects the weakest of the weak, the least advantaged. Such a world is full of meaning of life and in such a world equality of life will be an accepted principle.

Ethical Issues in International Affairs

Proponents of realism, or realpolitik, in international affairs often make the claim that there is no room for morality in state decision making. States do what they must because they are locked in a battle for survival against other states. In this way of thinking, ethics are a luxury for which leaders and states have no time. Further, thinking about doing "what is right" could be dangerous, distracting leaders from doing "what is necessary". On the other side, some liberal thinkers argue that ail our acts have moral implications, nowhere starker than in the international realms of war and peace, intervention, human rights, globalization, and development. As humans, we cannot separate ourselves from the ethical repercussions of our actions,

As the interaction, competition and collaboration among the nations is continuously increasing, we find that it has raised many

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ethical issues in the global arena. It is observed that though the world is becoming a better place to live in terms of economic prosperity, but in terms of equality, peace, environment and human rights, there have been number of issues involving some ethical concerns also. Here we will discuss some of the ethical issues which have been cause of concern in international affairs:

- **Management** of Common Goods- The 'Global Commons' refers to resource domains or areas that lie outside of the political reach of any one nation State. International law identifies four global commons namely: the High Seas; the Atmosphere; Antarctica; and, Outer Space. There have been ethical issues regarding each of the 'global common' which are explained in following headings:
- High Seas- These areas have historically been guided by the principle of the common heritage of humankind - the open access doctrine or the mare liberum (free sea for everyone). However, now the countries have started claiming sovereignty over these High Seas considering their heavy strategic importance in geo-polity and for commercial use (though this restriction is in violation of UNCLOS provisions). This restricts the right of other countries on these resources. It raises the basic ethical question- Is claiming sovereignty over the High Seas ethically correct?
- **Antarctica**- These days we notice that Antarctica is facing rapid environmental degradation due to human pressures such as pollution, and the effects of global warming. Whether it is ethically correct for the countries to spoil the environment of the Antarctica which may have greater repercussions in coming time?
- Climate Change- Countries are divided on the issue of JCBDR' (common but differential responsibilities) and on technology transfer and funding arrangements.
- Outer Space- More and more satellites are being launched by more and more countries in the outer space. This has created

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congestion in outer space risking the collision of satellites. Further, China tested its capability to destroy a satellite in outer space. This has raised ethical questions related to peaceful use of outer space.

- **Humanitarian Interventions-** In recent decades, American and some European countries have intervened in the internal affairs of other countries on the ground that the voice of public is not being respected and there is violations of basic human rights. Though these efforts look apparently bona fide, but it has also been argued that the intervention was mala fide and was encouraged by the geo-strategic reasons. This raises the ethical question whether it is right for a country to interfere in the internal affairs of another country and who would take the moral responsibility for the loss of human lives which always occur in these interventions?
- **Disarmament-** Ironically, the cause of disarmament is being promoted by those countries that have massive reserves of nuclear armaments, missiles and nuclear powered submarines. Further, countries like USA impose economic and other sanctions on countries like Iran to prevent it from developing nuclear weapons. There are unanswered questions like how it is ethical for a country to impose sanctions on others without discarding their own nuclear arsenals.
- Intellectual Property Rights- The developed countries are depriving the poor countries from accessing the new technologies by the restrictive clauses of intellectual property rights. Ironically, the same restrictive provisions are also applied on things like life-saving medicines. In this debate, it is essential to determine whether it is justifiable for a country/ company to defend its intellectual property rights on the ground of commercial benefits, or they should ethically share the technology for the greater cause of humanity.
- **Trade Negotiations/ Doha Round-** The Doha round of World Trade Organisation is pending to reach a consensus. In this

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context, the basic question involved is whether the developing countries are ethically and morally correct when they demand relatively higher concessions in international trade.

In these ethical issues, the major ethical dilemma faced by a country would be to choose between the 'national interest' and 'ethical responsibility'. It has been observed that countries went on to pursue their national interest without giving weightage to their ethical responsibility (for example, countries are trying to find out new sea route across Arctic, without considering that this would be doubly harmful as the global warming is already causing melting of Arctic ice). This would, in long turn, would be detrimental not only for the other countries but for the promoter country also.

Therefore, it becomes necessary to consider the ethical grounds in international arena, as only a holistic approach can ensure equal and sustainable development for the world and its people.

Ethical Issues in International Funding-Conditionality

Before discussing the ethical issues in international funding, It is essential to understand the term 'conditionality'.

Conditionality is a concept in international development, political economy and international relations which describes the use of conditions attached to a loan, debt relief, bilateral aid or membership of international organizations, typically by the international financial institutions, regional organizations or donor countries. In the context of international funding, 'conditionality' is typically employed by the International Monetary Fund, the World Bank or a donor country with respect to loans, debt relief and financial aid.

In other words, conditionality refers to policy changes which an aid donor agency stipulates a government must undertake in order to obtain, or retain, access to the donor’s financial support; it is an exchange of money for policy action. It arises most frequently in connection with the ’adjustment’ programmes of the International

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Monetary Fund and World Bank but bilateral donors have made greater use of it in recent years.

Conditionalities may involve relatively uncontroversial requirements to enhance aid effectiveness, such as anti-corruption measures, but they may also involve highly controversial ones, such as austerity or the privatization of key public services, which may provoke strong political opposition in the recipient country. Other types of conditionality that often occur are aid which is tied to be used in a specific way (for example, many countries tie aid to the purchasing of products from Honors' countries).

Issues Involved in Conditional Funding

Following issues (inherently ethical) related to conditional funding arises in international arena:

- The donors shape the policy framework and strategies through impositions, seriously undermining the rights, choices and decisions of the people to determine their own demands and actions needed for their own development,
- Local societal diversities and local ownership are ignored by conditionality.
- It is argued that aid conditionality infringes on countries' democracy and sovereignty.
- Policy conditions can interfere with the formation of an independent and mature democracy and political framework.
- It is argued that economic policy decisions, such as whether to privatize essential services or liberalize trade barriers within any given country – developing or developed – should be made by national governments and not influenced by leverage of increased external funding.
- Democratic ownership implies mutual accountability, transparency, and participation in policies and programmes, where both donors and governments feel equal, sharing

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responsibility and seeing Civil Society Organisations as key players. Domination by the government or the donors in the process undermines the basic principles of democratic ownership.

Ethical Issues in Funding for Clinical Trials

There is a considerable potential for ethical disputes to arise where clinical research, supported by developed countries, takes place in developing countries. Research partnerships where one partner is dominant in terms of funding an organisation, may lead to ethical standards being compromised and the possible exploitation of both researchers and research participants. The problem is exacerbated by the fact that potential research participants in some developing countries, whether patients or healthy volunteers, will often be more vulnerable to exploitation than those living in wealthy countries for a variety of reasons. These include limited access to basic healthcare, the difficulties of implementing guidance set out in international guidelines in local circumstances, consent procedures where cultural norms may conflict with developed country notions of autonomy and a relative lack of familiarity with developed country concepts of research and research procedures.

Places such as South Africa – where mostly vulnerable poor with low literacy levels are recruited and the culture is to accept authority without question – are fertile land for ethical misconduct related to clinical research. India is another example, where a recent trial of two vaccines against the virus responsible for cervical cancer has had a lot of negative publicity after some deaths that were later shown to be unrelated to the trial, but exposed ethical irregularities in the Indian system. In detail, following ethical and social issues arise whan a developed country sponsors clinical trials in a developing or undeveloped country.

- The potential risk of harm to participants (persons on which trial is being conducted) has led to the following ethical question- To what extent should individuals in developing countries be

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invited to take part in research which may expose them, and the populations from which they are drawn, to a possible risk of harm, yet offer them little or no direct benefit?

- It is widely accepted in clinical research that participants must be respected and their consent sought to participate in a trial. There may be problems of language and some concepts may be difficult to explain or may be considered culturally unacceptable. Questions about whether consent is freely given also raise the issue of inducements. Access to better healthcare and payment may provide powerful incentives to participate in clinical research. Under these circumstances, it can be difficult to ensure that consent procedures are genuine and legitimate.
- What happens after the clinical trial is over? The quality of healthcare available to a trial community will probably decline at the end of a trial. Often, large-scale trials of interventions in developing countries are associated with improvements in community healthcare during the period of the trial due to better staffing and facilities. The support required for the improvement will not ordinarily continue after the trial is over. Is there an ethical obligation on somebody to maintain an improved standard of care for participants after the trial?

Ethical Issues in International Funding for Promoting Human Rights

These days, International human rights and humanitarian non-governmental organizations (INGOs) are major players on the world stage. They fund human rights projects, actively participate in human rights and humanitarian work, and criticize human rights violations in foreign lands. They work in cooperative networks with each other, with local NGOs, and with international organizations. They consult and lobby governments and international organizations, sometimes participating in high level negotiations and diplomacy for global policy development.

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Here, the important ethical concern is the issue of government funding for INGOs as many INGOs do accept funds from developed countries. Their independence and legitimacy is therefore suspected by the government of host countries, especially by the less-than-democratic governments. It is argued that they are operating in these countries not for the genuine concern of human rights but for increasing the trust deficit between the government and citizens, as mandated by their funding agencies.

Corporate Social Responsibility

Corporate Social Responsibility (CSR) is a phenomenon wherein organisations serve the interest of society by taking responsibility for the Impact of their activities on customers, employees, shareholders, communities and the environment in all aspects of their operations.

In other words, CSR is the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large.

Corporate Governance

Corporate Governance is defined as a set of systems, processes and principles which ensure that a company is governed in the best interest of all stakeholders. It is about promoting corporate fairness, transparency and accountability.

Corporate Governance in Public Enterprises

The debate on corporate governance in the public sector is of **somewhat** recent **origin** but **much** of **what** governments do in delivering public services involves running major business. Governments try to achieve through public sector a complicated array of political, social and economic objectives. Corporate governance in the public sector involves much more complexity

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because it raises significant questions about government monopoly, ownership concentration, regulatory capture, and redistribution.

In view of the significant contribution of the public sector and the dominant role it would continue to play in the Indian economy, improving corporate governance in public enterprises has assumed a sense of urgency. Considering the values at stake, it is only reasonable that governments develop their expertise as owners and improve the governance of their enterprises. But while the gains are apparent, practicing corporate governance of state owned enterprises is a complex task. One paramount challenge is to find the right balance between the government's duties to be an active owner, while desisting from making undue political interference in the management of the company. Another challenge is to make sure that the government does not distort competition in the way it uses its regulator and supervisory powers.

Corporate Governance: Challenges in Public Enterprises

Corporate Governance of slate owned enterprises is a major challenge in many economies. A close examination reveals that the government has a massive task before it to create the enabling conditions that would improve the quality of corporate governance across the public enterprise system and in its transition to become market oriented. In this regard, some of the issues which need to be addressed are as follows:

- Unclear Ownership Objectives: Public Enterprises have been given a wide range of goals and objectives, eg., price controls, output targets, employment goals and requirements to provide social services. As some of these goals happen to be conflicting, it makes it difficult for managers to proceed towards goats with conviction. Politicians may also abuse this discretion and meddle in company's affairs for political gain. Therefore, explicitly defining the goals and objectives tan help reduce political interference, clarify management goals,

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improve performance monitoring, and reduce opportunities for corruption.

- **Weak Owners**- In a private company, owners play a key role in corporate governance. By contrast, in public enterprises, the state exercises its ownership role through weak institutions, sets inconsistent goals and does not properly monitor company performance. In present scenario of liberalization, opening of markets, shareholder activism and greater need for transparency and accountability demanded by stakeholders, it becomes mandatory for public sector companies to follow the corporate governance norms strictly.
- Low Levels of Transparency and Disclosure- Publicly owned enterprises lack transparency. Opacity undermines performance monitoring, limits accountability at all levels, conceals debt that car damage the financial System and creates conditions under which corruption can flourish. To improve transparency, public enterprises should increasingly be made to comply with high standards of accounting and auditing.
- Unprofessional Board of Directors- It has been observed that boards of public enterprises are weak and decision making is influenced by the government. Improving the boards requires many steps including Increased authority, autonomy and professionalism.

Case Study I

You are working as a Divisional Engineer in the Department of Signals in Indian Railways. A severe train accident, which has taken place in your zone, has resulted in the death of over 50 people. According to media reports, the accident was caused due to the transmission of wrong signals, which has resulted in the coming of two trains on the same track. This occurred because of the negligence of staff in your department. The government has set up an enquiry commission to look into the issue and suggest further actions to be taken. You have been appointed as the Head

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of the Commission. After conducting enquiry, you come across the gross negligence of duty by Mr. A, the Station Master of the station before which accident took place. He left the office during working hours for his personal work which resulted in transmission of wrong signals. But Mr. A is a dose relative of the General Manager (GM) of your Zone and you are getting constant pressure from him for manipulating the enquiry report. Your promotion as a Divisional Railway Manager (DRM) is due next month and a favorable report from GM office is essential for it. Also, the deadline set by the government for submission of report is also reaching closer. If you miss the deadline, your service record and your promotion, may get affected. What would be your reaction? Come out with an amicable solution to deal with the issue.

Premise: In this situation, a public servant faces an Ethical Dilemma. On the one hand he has to be honest with his duty, while on the other, he also has to keep his superior in confidence, the favourable report of whom is essential for his promotion to a crucial post. In simple words, his future Is at stake. Here the question that arises relates to integrity of public servant, his morality, his dedication to duty and his ability to sacrifice personal gains for safeguarding national interest.

This case comes under the following topics:

- Ethical Dilemma
- Probity in Governance
- Accountability
- Work Culture
- Public Service Values

Answer: Honesty and integrity on the part for public servant are two important pillars of efficient governance. As the accident that took place caused the loss of public life, it is needed to be taken as the top priority to bring the person responsible for it, in the court of enquiry. However, undue influence from various sources deters a public servant to deal with the issue effectively.

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The ethical dilemma faced by the Divisional Engineer (DE), in the given case, presents the example of above explained fact. As per the Indian Railway Act, 1989 and the rules formulated by Indian Railways, a Divisional Railway Manager (DRM) heads a division and is appointed for three years. Each division comes under a zone and DRM of different divisions report to their respective zones. A zone is headed by General Manager (GM). Hence GM of a Railway Zone occupies a crucial administrative position. Under these circumstances an unfavourable report by the GM may inhibit the appointment of a person as DRM. If the Divisional Engineer gives COrreti report, it would invite departmental or legal action against Mr. A, which would put him in the bad book of GM. On the other hand, if he manipulates the report, he may get benefits and rewards related to his career, but he, by doing so, is making a compromise with core values of public service. Under this circumstance he can exercise following options:

As a first step DE should politely convey his inability to follow the order of GM. As the matter pertains to life of people, manipulation of report would not solve the problem. He should explain the GM that if the responsible person is not punished, It would seta bad precedent and may lead to more accidents in future.

At the same time, DE should remain committed to his duty and must prepare correct and fair report, irrespective of any outside influence.

The Railway Board Act, 1905 provides for controlling the Administration of Railways. GMs of all the zones report to the Railway Board, which controls and coordinate their function by ensuring that they should work in public interest.

As the second step DE should inform about the incident and undue pressure he Is getting from GM regarding manipulation of reports, to the Railway Board. This would provide an edge to him in his appointment as DRM, even if GM gives an adverse report.

Third step by DE should be to give adequate opportunity to Mr. A for making statement in his defence. Before recommending any departmental enquiry, the reason for the negligence caused by Mr.

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A must be known. This would be in consonance of the principle of Natural Justice which is enshrined as a basic feature in our Constitution.

Case Study It

You are the Prime Minister of the country A. The President of a neighboring country 8 is scheduled to visit your country by next week. Your country has been witnessing a long dispute related to border with the country B. The new leadership, which has been just taken over in the country B, has expressed the willingness to resolve the ongoing border issue. Hence the visit has gained a national attention and is crucial for your country. The country B is also expected to come with new investment plans. Your country has been facing the problem of poor infrastructure and is in urgent need of funds for the same. However, just ahead of one day of the visit, you have been informed by Army Chief of your country that soldiers of country B has started firing in border area, resulting in the loss of life of 5 soldiers of your country. The matter has reached to the media and is likely to form the headlines of next day's newspaper. You are aware of the national response against the incident, on one side, while the significance of the visit, on the other. How far is it correct for you to refuse to host the President of country B as a sign of showing protest to this incident? What measure would you take under such circumstances?

This case comes under the following topics:

* Ethical Concerns in International Relations
* Ethical Dilemma
* Morality
* Ethical Governance

Premise: The given case relates to the relation between two neighbouring countries, facing a border dispute for a long lime. The scheduled visit of the President of ore country is overshadowed by a firing incident that took place in the border area. The PM of country A faces a dilemma in his action. As a PM, he has to strike a balance between national interest and his obligations under international relations.

Answer: Diplomacy and National interest are the two important wheels on which the wagon of international Relations run. Here, if PM cancels the meeting with the President of country B, he will miss an opportunity to settle the long border dispute. He will also forgo a significant amount of investment which could make his country prosperous by giving a boost to infrastructure sector On the other hand, if he attends the President with gratitude after the incident which took place in the border area, he would attract a criticism and national outrage that may affect his political career in future. It would also amount to compromising with the national pride. Under these circumstances the Prime Minister of Country A should take following actions:

Following the incident, he should immediately summon the Ambassador of the country B and seek clarifications from him on the incident. This would convey the strong objection the country A is taking against the act of Country B.

He should call a meeting of Senior Bureaucrats along with intelligence and security chiefs of the nation to decide the further moves. As the matter pertains to international relation, the decision must be taken by keeping focus on long term interest, for which a unilateral decision solely by PM may be unviable.

The international diplomacy requires a high degree of professionalism. Keeping this in view, the PM should not cancel the meeting with the President of country B. This would reflect his long term vision. This would also save the wastage of public money utilized in the preparation of visit.

At the same time he should instruct the army chief to respond any further incident with firm actions.

During the visit, he should accord a warm welcome to the President of country B and at the same time he should strongly condemn the firing incident by country B. This would reflect the high degree of professionalism in his conduct.

A statement in media from him should also be issued condemning the incident and asking the people to be calm, as the matter is needed to be resolved through diplomatic means rather than by retaliatory measures. ■

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UNIT 7

Probity in Governance

After reading This chapter you will be able to understand

- Concept of public service
- Philosophical basis of governance and probity
- Information sharing and transparency in government
- Right to Information
- Codes of Ethics
- Codes of Conduct
- Citizen's Charters
- Work culture
- Quality of service delivery
- Utilization of public funds
- challenges of corruption

Public Service

The term public service carries different meanings.

The first meaning of 'public service' is in the sense of a public utility, i.e., it refers to the kind of services governments commonly provide– electricity, healthcare, maintenance of law and order, urban and rural infrastructure, etc.– where the prime criteria of success are availability, affordability and accessibility of services. In this connection, the delivery of public service means the goods and services offered by government institutions to the

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public, and it includes the interface between the citizen and the administration.

Second, public service refers to all the public functionaries including all those working in the army as well as the judiciary and the executive.

Probity

Probity is the evidence of ethical behaviour in a particular process. The term probity means integrity, uprightness and honesty. For Government employees and agencies, maintaining probity involves more than simply avoiding corrupt or dishonest conduct. It involves applying public sector values such as impartiality, accountability and transparency.

Probity is also regarded as being incorruptible. However, probity goes further than the avoidance of being dishonest because it is determined by intangibles like personal and societal values. It is also regarded as strict adherence to a code of ethics based on undeviating honesty, especially in commercial (monetary) matters and beyond legal requirements.

Ensuring probity in public sector activities is part of every public official's duty to adopt processes, practices and behaviour that enhance and promote public sector values and interests.

Probity in Governance

"Apart from the traditional civil service values of efficiency, integrity, accountability and patriotism, it is necessary for civil servants to inculcate and adopt ethical and moral values including probity in public life, respect for human rights and compassion for the downtrodden and commitment to their welfare". (Second ARC)

Probity in governance is an essential and vital requirement for an efficient and effective system of governance and for socio-economic development. An important requisite for ensuring probity

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in governance is absence of corruption. The other requirements are effective laws, rules and regulations governing every aspect of public life and, more important, an effective and fair implementation of those laws, etc.

Philosophical Basis of Governance and Probity

The ethical concerns of governance have been underscored widely in Indian scriptures and other treatises such as Ramayana, Mahabharata, Bhagvad Gita, Buddha Charita, Arthashastra, Panchatantra, Manusmriti, Kural, Shukra Niti, Kadambari, Raja Tarangani, and Hitopadesh. At the same time, one cannot ignore the maxims on ethical governance provided by the Chinese philosophers such as Lao Tse, Confucius and Mencius.

In the Western philosophy, there are three eminent schools of ethics. The first, inspired by Aristotle, holds that virtues (such as justice, charity and generosity) are dispositions to act in ways that benefit the possessor of these virtues and the society of which he is a part. The second, subscribed to mainly by Immanuel Kant, makes the concept of duty central to morality; human beings are bound, from knowledge of their duty as rational beings, to obey the categorical imperative to respect other rational beings with whom they interact. The third is the utilitarian viewpoint that asserts that the guiding principle of conduct should be the greatest happiness (or benefit) of the greatest number (Hobson, 2002). The Western thought is full of ethical guidelines to rulers, whether in a monarchy or a democracy. These concerns are found in the writings of Plato, Aristotle, Thomas Jefferson, Alexander Hamilton, Thomas Penn, John Stuart Mill, Edmund Burke, and others.

The gist of wisdom on administrative ethics is that the public administrators are the "guardians" of the Administrative State. Hence, they are expected to honour public trust and not violate it. Two crucial questions raised in this context are "Why should guardians be guarded? And "Who guards the guardian?" (Rosenbloomand

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Kravchuk, 2005k The administrators need to be guarded against their tendency to misconceive public interest, promote self-interest, indulge in corruption and cause subversion of national interest. And they need to be guarded by the external institutions such as the judiciary, legislature, political executive, media and civil society organisations. These various modes of control become instruments of accountability.

The current discipline of public administration accords primacy to the 'values' of equity, justice, humanism, human rights, gender equality and compassion, The movement of Good Governance, initiated by the World Bank in 1992, lays stress, inter alia, on the ethical and moral conduct of administrators. While the New Public Management movement is more concerned with administrative effectiveness, the New Public Administration focuses on administrative ethics in its broader manifestation. Both the movements are complementary to each other. This complementarity of foci is as truer today as it was a hundred years ago when the industrial world was experiencing the rise of Scientific Management amidst a strong acceptance of the notion of administrative responsibility. John Kennedy, during his Presidency (1961-1963) had averred: "No responsibility of government is more fundamental than the responsibility of maintaining the higher standards of ethical behaviour.

The ideal-type construction of bureaucracy, propounded by Max Weber also highlighted an ethical imperative of bureaucratic behaviour. Weber (1947) observed: In the rational type, it is a matter of principle that the members of the administrative staff should be completely separated from ownership of the means of production and administration. Officials, employees and workers attached to the administrative staff do not themselves own the non-human means of production and administration. There exists, furthermore, in principle complete separation of property belonging to the organisation, which is controlled within the sphere of office, and the personal property of the official, which is available for his own private uses.

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Objective of Probity in Governance

Probity in Governance seeks to achieve the following:

- To ensure accountability in governance;
- To maintain integrity in public services;
- To ensure compliance with processes;
- To preserve public confidence in Government processes;
- To avoid the potential for misconduct, fraud and corruption.

Private Interests

The term 'private interests' includes not only the personal, professional or business interests that an officer may have, but also the personal, professional or business interests of the individuals or groups that the officer associates with. This might include relatives, friends or even rivals and enemies. In other words, private interests are those interests that can bring either benefits or disadvantage to the officer, or to others whom the officer may wish to benefit or disadvantage.

Such interests can involve an actual or potential financial gain or loss and can involve property, shares, unpaid debts, or some form of gift or benefit – including a job opportunity or secondary employment. Other private interests may not have a financial component, but could involve personal or family relationships or sporting, social or cultural activities that could influence an officer's judgement or decision.

Public Duty to Serve the Public Interest

The 'public interest' is the collective interest of the entire community – not the sum of individual interests or the interest of a particular group. All public sector officers have a public duty to put the public interest above their own personal or private interests when carrying out their official duties. This principle applies to

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anyone engaged to deliver government programs and services, whether as a full or part-time employee, casual or contract staff member, board member, consultant or volunteer.

Conflicts of Interests

Conflicts of Interests often happen without anyone being at fault. Public officials are also individuals, and there will be occasions when an officer's own private interests may come into conflict with their public duty to put the public interest first. Conflicts of interest are not wrong in themselves, but they should be properly identified and declared, and effectively and transparently managed. It is when a conflict of interest has been ignored, improperly acted on, or has influenced actions or decision making, that the conduct (not the conflict itself) could be seen as misconduct, abuse of office or even corruption. The following are examples of conflicts of interests- If an officer's public duty requires him to become involved in any decision or action regarding the matter, where the officer:

- Owns property, the value of which may be altered by his agency's activities;
- Has shares in a family business that offers for a contract with his agency;
- Is offered a benefit in the course of carrying out his work-related duties;
- Holds secondary employment with an organisation that is applying to the agency for a related consideration;
- Has a strongly held personal conviction on an issue that is being considered by the agency;
- Orders goods for a private business and improperly accesses government procurement arrangements.

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Civil Service

Civil Service is the executive branch of a government. The term 'civil service' refers to that section of public service which is employed in the civil services of the government. GviJ services thus exclude functionaries working in the army and judiciary. Thus, all civil services are public setvices, but all public services are not civil services.

Importance of Civil Services to Governance

Governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It consists of the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. Without good governance, no amount of developmental schemes can bring in improvements in the quality of life of the citizens. On the contrary, if the power of the slate is abused, or exercised in weak or improper ways, those with the least power in the society are most likely to suffer. In that sense, poor governance generates and reinforces poverty and subverts all efforts to reduce it. The civil service forms an important part of the institution of the state and plays a crucial role in the administration of the country. It has to carry out task in terms of the constitutional mandate and the legal framework. If civil services perfonn in effective and efficient way, the people may be served in the best possible way and maximum public interest can be ensured. The importance of the Civil Service to governance stems from the following:

- Its presence throughout the country and its strong binding character;
- Administrative and managerial capacity of the services;
- Effective policy-making and regulation;
- Effective coordination between institutions of governance;

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- Leadership at different levels of administration;
- Service delivery at the cutting edge level;
- Provide 'continuity and change' to the administration.

New Public Service

The New Public Service {NP5) is a new approach in public administration. The concept was initiated by Janet Denhardl and Robert Denhardt. They have put the central role of government as 'service'. Government as they argue, 'should not be run like a business, it should be run like a democracy'. 'Public interest' and 'democratic citizenship' are the half marks of government.

The theory gives seven broad principles to be followed by government and administration so as to fulfil their democratic responsibility and to improve the service delivery mechanism-

- Serve citizens, not customers
- Seek the public interest
- Value citizenship over entrepreneurship
- Think strategically, act democratically
- Recognize that accountability is not simple
- Serve rather than steer
- Value people, not just productivity

Development Administration

Development Administration is an 'action-oriented' and 'goal-oriented' administrative system (E. Weidnerh It is about administration with a 'difference'. Its focus is on government influenced change- towards the attainment of progressive social, economic and political objectives.

Development administration is characterized by:

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- Its purposes
- Its loyalties
- its attitudes

The purposes of development administration are to stimulate and facilitate defined programs of social and economic progress. They are purposes of change and innovation and movement as contrasted with purposes of maintaining the status quo. In terms of loyalties, the bureaucracy has to be accountable to the people and not to any vested institutional interests, nor to any king or empire. In terms of attitudes, development administration calls for positive, persuasive, and innovative stances from the bureaucracy. The traditional norms or forms of administration must be placed by flexibility and adaptability to changing needs and situations.

Behavioural Parameters for Development Administration

Pai Panandiker and Kshirsagar, propose four behavioural parameters-

- Change orientation
- Result orientation
- Citizen participative orientation
- Commitment to work

Traditional Public Administration and Development Administration

The difference between the traditional public administration and development administration can be made out by observing and analyzing the features of both the concepts.

Features of Development Administration are as follows – change oriented, goal and result oriented, flexible and dynamic,

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concerned with innovative approach, believes in decentralization, stress or participation of people.

Features of traditional administration are as follows- status quo oriented, emphasis on economy and efficiency, hierarchical and rigid, Concerned with routine operations, believes in centralization, resists organizational change, stress on directions from authority, not much involvement of people.

New Public Administration

New Public Administration is an anti-positivist, ami-technical, and anti-hierarchical reaction against traditional public administration. The 1960s in the USA was a time of unusual social and political turbulence and upheaval. In this context, it was observed that neither the study nor the practice of public administration was responding suitably to the escalating turmoil and the complications that arose from those conditions. NPA theory deals with the following issues-

- Democratic Citizenship
- Public Interest
- Public Policy, and
- Services to Citizens

NPA stands for four important aspects-

- Relevance: Traditional public administration has too little interest in contemporary problems and issues. NPA suggests that social realities must be taken into consideration and changes should be specific to the needs of the area and of the people. NPA also suggests the inclusion of rationality of the people too in the process of policy formulation.
- Values: NPA holds that value-neulrafity in public administration is an impossibility and the public administration should explicitly espouse the cause of the disadvantaged sections in the society.

- Social Equity: NPA believes that the purpose of public organisation is the reduction of economic, social and psychic suffering and the enhancement of life opportunities for those inside and outside the organisation. It challenged the public administration to make it more proactive to major social issues and put the realization of social equity as the chief goal of public administration.
- Change: NPA shows skepticism towards the deeply rooted powers vested in permanent institutions and the status quo. It suggests for operational flexibility and organisational adaptability in the administrative system to meet the environmental changes.

NPA provides solutions for achieving these goals, popularly called 4 D's i.e. Decentalisation, Debureaucratisation, Delegation and Democratismion.

New Public Management

The 1990s saw the emergence of a new model of public sector management. This has been variously called: 'Managerialism', 'New Public Management', market-based public administration, 'Entrepreneurial Government', etc. The thrust has been toward a determined effort to implement the 3Es: Efficiency, Economy and Effectiveness.

The New Public Management (NPM) has following salient features:

- Focus on management, on performance appraisal and on efficiency.
- Desegregation of public bureaucracies into agencies which deal with each other on a user-pay basis.
- Use of quasi-markets and contracting out to foster competition.
- Cost-cutting.
- A style of management which emphasizes output targets, limited term contracts, monetary incentives and freedom to manage.

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Entrepreneurial Governments

Within the New Public Management (NPM) theme, there has been a more positive perspective given by Osbome & Caebler in Reinventing Government (1992). They suggest a ten-point programme for what they call Entrepreneurial Governments (EGs)-

* ECs promote competition between diverse providers of goods and services.
* They empower citizens by pushing control out of bureaucracy.
* They measure performance of their agencies focusing particularly on outcomes not inputs.
* They are driven by their missions and not by their rules/regulations.
* They redefine their clients as customers and offer them choices.
* They prevent problems rather than cure them after they blow out.
* They put their energy into earning money, not simply spending it.
* They decentralize authority, embracing participatory management.
* They prefer market mechanisms to bureaucratic mechanisms.
* They focus not simply on providing public service, but on catalyzing all sectors- public, private, and voluntary- into action to solve community problems.

These features of Entrepreneurial Government yield a multi-faceted government system with the following characteristics-

* Catalytic Government
* Community-owned Government
* Competitive Government
* Mission-driven Government

- Results-oritinted Government
- Customer-driven Government
- Decentralized Government
- Market-oriented Government

Social Contract

The social contract or political contract is a theory or model, originating during the Age of Enlightenment, which typically addresses the questions of the origin of society and the legitimacy of the authority of the state over the individual. Social contract arguments typically posit that individuals have consented, either explicitly or tacitly, to surrender some of their freedoms and submit to the authority of the ruler or Magistrate (or to the decision of a majority}, in exchange for protection of their remaining rights.

In general terms, the social contract states that members of society are accorded certain rights in return for giving up certain freedoms which society's members would otherwise possess in the state of nature (where lawlessness reigns) or by remaining alone. Society (in the sense of a "state"} emerges to enforce the rights and responsibilities borne by its members. Because these rights and responsibilities are neither "natural" nor "fixed/ they can be altered if a society's members so desire. However, they must remember that exercising additional rights will always entail bearing additional responsibilities, and bearing fewer responsibilities will always entail exercising fewer rights.

The philosophical ideas of the social contract is dated back to Hugo Crotius (1533-1645}, Thomas Hobbes (1588-1679], John Locke (1632-1704), Jean Jacques Rousseau (1712-88) and, more recently, John Rawls who wrote in the second half of the 20th Century.

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Social Contract Theory- Features

Social contract theory expresses two fundamental ideas to which the human mind always clings-

- The value of liberty; the idea that "will" and not "force" *is* the basis of government; and
- The value of justice or the idea that "right" and not "might" is the basis of all political society and of every system of political order.

The theory seeks to explain the formation of societies and governments. It denotes an implicit agreement within a State regarding the rights and responsibilities of the State, i.e. the government and its citizens. The theory posits that rights of citizens are prior to and more fundamental than the organization of society under the government. The governed, in essence, should be the governors. The idea of self-government is posited as an end in itself. A political order offering opportunities for participation in the arrangement of public affairs should not just be a State, but rather, the formation of a type of society in which the affairs of the State are integrated into affairs of ordinary citizens.

Parkinson's Law

Parkinson has written satirically on political organisation and public administration and has developed a list of principles-

- Administrators create work for each other by artificial means and swell their rank, irrespective of the volume of work to be done. The empire building tendency prevails in such situations.
- Executives select subordinates who are less smart than themselves with a view to preventing their potential rivals.
- Committees tend to grow in size until they lose their effectiveness.
- In committee meetings, according to the law of triviality, the

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lime spent on subjects varies in inverse proportion to the sum involved.

- Expenditures of an organisation rise to eat up the available money.

Transparency

Transparency implies openness of decision-making process and freedom of information to the members of the public and media. The people have the right to know how decisions are made on routine as well as on policy matters, whether they are benefited or affected by the decision, how service is rendered or how and when the goods are delivered. What are the work procedures and how are the objectives accomplished?

Transparency is also a moral issue. Lack of transparency is considered to be responsible for making the government slow, inefficient and corrupt. Transparent mechanisms involve the creation of a climate of self-restraint and self-check to avoid irregularity. Transparency can also be seen from following dimensions:

- Ensuring transparency in public dealings is hound to bring about a more careful utilization of public funds.
- Transparency in government functioning will make public servants take decisions more rationally and objectively, forsaking their particularistic bias in favour of any person or caste.
- Transparency in government functioning will hold public servants accountable for their mishandling of public time and money.
- Transparency will help expose counter-productive and inhibiting rules and procedures that make administration more slow.
- Transparency will develop a cordial relationship between the public servants and their clients.

Transparency in government organisations makes them

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function more objectively, thereby enhancing predictability and accountability, **Information about functioning of government also** enables citizens to participate in the governance process effectively.

Institutional Means to achieve Transparency in Administration

Following are the institutional means to achieve transparency in the administration-

- Parliamentary Controls- Question sessions, debates, etc.
- Legislative Framework- Right to Information Act, Time bound delivery of goods and services
- Ombudsman- Lokpal and Lokayukta
- Independent Judiciary
- E- Governance
- Free Press

Right to Information

The Indian Parliament enacted the Right to Information Act (RTI) in 2005. The Right to Information Act signals the march from darkness of secrecy to dawn of transparency. It opens up government's records to public scrutiny, thereby arming citizens with a vital tool to inform them about what the government does and how much effectively, thus making the government more accountable.

Right to Information (RTI) has been seen as the key to strengthening participatory democracy and ushering in people centric governance. Access to information can empower the poor and the weaker sections of society to demand and get information about public policies and actions, thereby leading to their welfare. Openness in the exercise of public power – Executive, Legislative

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or Judiciary – is a culture, which needs to be nurtured, with privacy and confidentiality being an exception. The right to information will also be a powerful means for fighting corruption. The effective implementation of the Right to Information Act will create an environment of vigilance which will help promote functioning of a more participatory democracy.

Code of Ethics

Code of Ethics is a written set of guidelines issued by an organisation to its officials to guide their conduct in accordance with its primary values and ethical standards. It ensures that individuals belonging to an organization have a consistent approach in carrying out their responsibilities and making decisions.

The Codes of Ethics generally include values and principles like:

- Integrity
- Impartiality
- Commitment to public service
- Accountability
- Devotion to duty
- Exemplary behaviour

Public Service Bill, 2006

Public Service Bill enumerates fundamental values and a Code of Ethics for public services with the object of developing a professional, politically neutral, merit based and accountable civil service. According to this Bill, the main values by which the Public Servants shall be guided are as follows:

- Allegiance to the various ideals enshrined in the preamble to the Constitution;

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- Apolitical functioning;
- Good governance for betterment of the people;
- Duty to act objectively, impartially, honestly and equitably;
- Accountability and transparency in decision-making;
- Act with integrity and in a courteous and just manner;
- Maintenance of highest ethical standards;
- Merit to be the criteria in selection of civil servants, however, it should be consistent with the cultural, ethnic and other diversities of the nation;
- Ensuring economy and avoidance of wastage in expenditure;
- Provision of healthy and congenial work environment;
- Discharge functions with due regard to diversity of the nation/ community and religion but without discrimination of caste, community, religion, gender or class and duly protecting the interest of poor, underprivileged and weaker sections;
- Communication, consultation and cooperation in performance of functions he. participation of all levels of personnel in management; and
- Provide honest, impartial and frank advice to political executive.

Second ARC on Ethics

The Second Administrative Reforms Commission (ARC) in its 4th report "Ethics in Governance" has extensively covered the issue of ethics and observes, "The crux of ethical behaviour does not tie in bold words and expressions enshrined as standards, but in their adoption in action, in sanctions against violations, in putting in place competent disciplinary bodies to investigate allegations of violations and to impose sanctions quickly and in promoting a culture of integrity*.

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In its wide ranging recommendations, it has suggested-

- Partial state funding of elections
- Tightening of anti-defection law
- Code of ethics for ministers, legislatures, judiciary and civil servants
- Tightening the provision of Prevention of Corruption Act
- Making corrupt public servants liable for paying damages
- Confiscation of property illegally acquired
- Speedy trials
- Creation of Lokpal/ Ombudsman at national, State and local level

While recommending a Code of Ethics for Civil Servants the Second ARC has observed: *Civil Service Values which all public servants should aspire, should be defined and made applicable to all tiers of government and parastatal organizations. Any transgression of these values should be treated as misconduct, inviting punishment*. In order to create a regime under which quick disciplinary action can be taken against delinquent Government servants, the ARC has recommended deletion of Article 311 of the Constitution, with a proviso that legislation under Article 309 be made to protect public servants against arbitrary action. The Commission has also suggested certain measures to protect honest Civil Servants against malicious complaints.

The ARC in its 10th Report on Personnel Administration has re-emphasized the need for prescribing Civil Service Values and laying down a Code of Ethics. The ARC recommended that the Code of Ethics should include: integrity, impartiality, commitment to public service, open accountability, devotion to duty and exemplary behaviour.

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Codes of Conduct

A Code of Conduct is a set of rules outlining the expected behaviour from the members of an organisation. The purpose of Code of Conduct is to regulate the conduct of members on various transactions.

In India, the Central Government has issued conduct rules for government employees known as Central Civil Services [Conduct} Rules 1964. The rules are more in the nature of "doV and "don'ts*. These Conduct Rules cover matters such as property transactions, acceptance of gifts, joining of non-political organization and host of other issues covering almost every activity which a normal individual undertakes.

Code of Ethics and Code of Conduct

A code of ethics covers broad guiding principles of good behaviour and governance while a code of conduct would, in a precise and unambiguous manner, stipulate a list of acceptable and unacceptable behaviour and actions.

Citizens* Charter

Citizens' Charier is an undertaking a public service organization gives to the citizens, to provide a high level of service while meeting the standards contained in the declaration. It contains specific provisions and set out specific obligations for the public services, the time within which the department would be obliged to provide a service or to respond to a query or complaint.

Citizens' Charter is aimed at demanding from the government and the service organisations (e.g. hospital, post-office, etc.} the fundamentals of accountability, transparency, quality and choice of services supplied to the people. The charter places the citizen at the centre of administration, instead of treating him as a passive recipient of services rendered without regard for quality, cost or timeliness.

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The charter is no doubt an innovative device; but its formulation and enforcement are no easy tasks. In order to make these charters effective tools for holding public servants accountable, the Citizens' Charter should contain specific provisions and set out specific obligations for the public services, the time within which the department would be obliged to provide a service or to respond to a query or complaint. They should clearly spell out the remedy/penalty/compensation in case there is a default in meeting the standards spelt out in the charter.

Further, there has to be some authority or institution to monitor performance and watch violations and maintenance. The citizens have to play an active role in giving timely and necessary feedback about services rendered by the government agencies. Within the organizations, the employees must be psychologically and infrastructurally well-prepared to serve the public as per the agreed-upon standards.

Principles of Citizens* Charter

The Citizens' Charter is based on the following printiples-

- Wide publicity on the standards of performance of public agencies
- Assured quality of services
- Access to information along with courtesy and helpful attitude
- Choice of and consultation with the citizens
- Simplified procedures for receipt of complaints and their quick redressal, and
- Provision of performance scrutiny with citizens' involvement.

Work Culture

Work culture is regarded as a set of practices, values and shared beliefs within an organization and in its employees that

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arise from what is generally regarded as appropriate ways to think and act. It is the work culture which decides the way employees interact with each other and how an organization functions. The work culture of an organization is a product of its history, traditions, values, and vision.

Desirable work culture includes shared institutional values, priorities, rewards and other practices which foster inclusion, high performance, and commitment, while still allowing diversity in thought and action.

Characteristics of a Healthy Work Culture

Following are the main characteristics of a healthy work culture:

- One respects his fellow worker, i.e., employees are cordial with each other.
- Conflicts are minimum and they are resolved after considering the underlying causes.
- Each employee is treated in alike manner. It is recognized by the employer and managers that partiality leads to dissatisfied employees and eventually an unhealthy work culture.
- Employees are judged only by their work and nothing else.
- Performers are encouraged. And the ones, who have not performed well, are not criticized but are asked to pull up their socks for the next time.
- Employees' participation in decision making and quality suggestion is encouraged.
- There is two way communications. Employees' feedback, negative or positive, is well taken into consideration.
- Workshops, seminars and presentations are frequently conducted to upgrade the existing skills of the employees.

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Work Ethics

An important dimension of ethics in public administration is work ethics. It represents a commitment to the fulfillment of one's official responsibilities with a spirit of dedication, involvement and sincerity. It also implies that a government functionary would love his work and not treat it as a burden or a load. And that efficiency, productivity and punctuality will be the hallmark of his administrative behaviour.

Characteristics of Ethical Work/ Organisational Culture

Following are the main characteristics of an ethical work/ organisational culture:

- Values- At the center of an ethical organization are its values. To use an Organic analogy, an organization's values are its lifeblood. fust as blood nourishes the body, they must flow vigorously through every cell of an organization.
- Leadership Effectiveness- The ethicai organization will have leaders who both "talk the talk" and "walk the walk" of ethical practice. Leaders must embody the organization's values in their own behaviour and must articulate those values in a compelling way for employees. Leaders set the tone that permeates an organization's culture. If employees perceive that top leaders care more about results than about how those results are achieved, this perception can encourage the bending or even breaking of rules.
- Stakeholder Balance- The Ethical Organization Model recognizes that needs and demands of different stakeholder groups frequently exist in tension with one another. Customers want higher quality at a lower price; employees want higher wages and increased benefits; owners/investors want a greater return; suppliers want to be paid more; communities want companies

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to invest more in them; and competitors want fair competition. The ethical organization recognizes these tensions and works to maintain a balance between them. Focusing too much on any one stakeholder, whether owners/investors, customers or employees, will create a distortion that can lead to ethical lapses.

- Process Integrity- Process integrity is a focus on the systems dimension of organizational life. The ethical organization's values must be built into every operational process. All of its operational systems (e.g., recruiting, hiring, evaluating, compensating, promoting, demoting, firing, marketing, sales, production) need to be aligned with its values. At best, misaligned processes create confusion and poor decision making within the organization; at worst, they create ethical breaches and chaos.

- Long-Term Perspective- A fundamental characteristic of an ethical organization is the devotion of its leadership to strategic planning for the long term. This characteristic evokes the question, "What is the purpose of this business?" For some, the answer is to maximize shareholder value, but for others, the goal of business is found in balancing the interests of numerous stakeholders—owner/investors and employees, customers and suppliers, communities and, yes, even competitors.

Significance of Service Delivery

Public service delivery is the most important aspect of good governance because it touches the lives of millions of people. It is through better public service delivery that inclusive and sustainable socio-economic development can be achieved. Public service delivery is also an integral component for achieving growth oriented governance.

Citizen centricity with the aim of ensuring citizens' welfare and satisfaction is critical for any government- local, state or national-

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which aims to provide good governance. Therefore, transparency, efficiency and accountability in the public service delivery system that the citizens are most immediately concerned with, is of prime importance.

Challenges in Improving Service Delivery

For several decades, public services have unfortunately been provided with the primary focus on convenience of service providers rather than the service receivers. Various factors like complex regulations, complicated forms, Jack of information, absence of performance standards, lack of accountability, corruption and incompetence have left recipients of public services, or ordinary citizens, helpless, dissatisfied and frustrated.

The former Prime Minister of India, Rajiv Gandhi in this context observed *The experiences of the vast majority of our people at the grassroots has been that the interface between the public and the administration is unresponsive, inefficient, unsympathetic, often callous, sometimes even cruel to those whom they are meant to serve". To address these bureau pathologies plaguing the governance, reform initiative has become sine qua non.

We must Introspect and recognize that there is a great deal of public dissatisfaction with the functioning of government, at all levels of government. And it is important to realise that the most crucial aspect of governance is improving pubik service delivery at the grassroots level—the village or Panchayat level. For a common man in a village, a Patwari (or 'Mamladar' as is called in some states) is the biggest and the highest revenue officer; a Thanedar' is the biggest police officer; and a forest guard is the biggest forest officer because the peoples' interaction in day-to-day affairs is only with Ehese persons and not with the District Collectors or Superintendents of Police or the Divisional Forest Officers posted at the district level. if the public service delivered through these grassroots level officers is good, the image of the whole government

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and the administration is good and vice-versa. So, the thrust should be to improve the working of these grassroots and cutting edge level officers having maximum interaction with the common man.

Suggestions for Improving Service Delivery

This is well recognized that there is an imperative need to improve the service delivery mechanism in our country. In this regard, various challenges and constraints being faced by the bureaucracy need to be addressed through multi-pronged strategies. Some suggestions are as follows to create responsive, transparent and accountable systems of public service delivery-

* To place people at the centre of all developmental programmes and activities of the government above all political and administrative considerations, treating people as valued participants, not beneficiaries—enabling them to have alternate choices—and keeping public interest supreme in all governmental policies, programmes and processes;

* To provide services to the people in accordance with specified standards through easily accessible interfaces such as one-stop, single-window, automated service delivery outlets or common civic service centres, devoid of harassment or corruption, minimising waiting time and inconvenience to the public;

* To ensure a minimum tenure for public servants and create a stable and conducive environment for public servants to deliver results based on clarity of vision, mission and objectives, service standards, delegation of authority and responsibility, budgets linked to outcomes, placements on considerations of merit and capability, efficiency and proven track record; and appropriate incentives and disincentives;

* To ensure value for money and cost effectiveness in the provision of services, exploring alternative mechanisms such as outsourcing, public-private-people partnership, public service

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agreements between policy-makers and service providers, etc. and adopting the most appropriate systems;

- To develop appropriate cost, time and quality benchmarks for service delivery outcomes against which post-implementation evaluation, including citizen report cards needs to be carried out;
- To develop, implement and monitor performance measurement and management systems, developing performance indicators for service delivery-related functions and service providers or functionaries;
- To promote decentralisation and strengthen rural and urban local bodies as grassroots level self-governing institutions, delivering services in accordance with the mandate of the Constitution of India, by empowering them with devolution of functions, finances and functionaries and undertaking capacity building programmes;
- To enable people and their organisations to undertake rhe delivery of services themselves or assist them in delivering services, wherever feasible and beneficial;
- To strengthen the district administration, including Panchayah Raj Institutions and urban local bodies at the cutting edge level of public administration and clarify the roles and responsibilities of all agencies and functionaries working at the district level;
- To adopt participatory mechanisms in public service delivery, involving the people, peoples' institutions, civil society groups, community based organisations, non-government organisations, self-help groups, in all aspects and stages such as service planning, budgeting, delivery, monitoring, getting feedback, quality benchmarking and assurance, evaluating, undertaking social audit, customer satisfaction surveys, etc;
- To establish independent regulatory mechanisms and effectively implement laws relating to consumer protection to ensure that

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service standards are adhered to and the citizens get a fair deal from service providers;

- To undertake third party appraisal and objective assessment of programmes, schemes and institutions regarding their functioning and impart by independent professional institutions, citizens' committees, etc. and obtain and use feedbacks to improve policies and implementation mechanisms;
- To firmly establish the Rule of Law and maintain public order at all times as the basic foundation of good governance and provide a Safe environment to the citizens and business to pursue their tasks of self-development and nation-building;
- To develop and implement a core governance and core reform agenda covering the key social, economic and human development goals, which are in the supreme interest of the people and social-economic development and which need to be pursued with a vision on a long-term basis;

Corruption

Corruption refers to deliberate and intentional exploitation of one's position, status or resources directly or indirectly, for personal aggrandizement whether it be in terms of material gain or enhancement of power, prestige or influence beyond what is legitimate or sanctioned by commonly accepted norms to the detriment of the interests of other persons or the community as a whole.

Coercive Corruption

In a vast majority of cases of bribery, the citizen is a victim of extortion and is compelled to pay a bribe in order to get a service to which he is entitled.

It is observed that there is *a* vicious cycle of corruption operating and most citizens often end up losing much more by

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resisting corruption. Delays, harassment, lost opportunity, loss of precious time and wages, uncertainty and, at times, potential danger of loss of life or limb could result from resistance to corruption and non-compliance with demands. In such cases, the citizen is an unwilling victim of coercive corruption.

Collusive Corruption

There are several cases of collusion between the bribe giver and corrupt public servant. In such cases of collusive corruption, both parties benefit at immense cost to society. Awarding of contracts for public works and procurement of goods and services, recruitment of employees, evasion of taxes, substandard projects, collusive violation of regulations, adulteration of foods and drugs, obstruction of justice and concealing or doctoring evidences in investigation are all examples of such dangerous forms of collusive corruption.

As the economy is freed from state controls, extortionary corruption declines and collusive corruption tends to increase.

Corruption, Ethics and Values

Corruption is an important manifestation of the failure of ethics. The word 'corrupt' is derived from the Latin word 'corruptus', meaning 'to break or destroy'. The word 'ethics' is from the original Greek term 'ethikos', meaning 'arising from habit'. It is unfortunate that corruption has, for many, become a matter of habit, ranging from grand corruption involving persons in high places to retail corruption touching the everyday life of common people.

Anti-corruption interventions so far made are seen to be ineffectual and there is widespread public cynicism about them. The interventions are seen as mere posturing without any real intention to bring the corrupt to book. They are also seen as handy weapons for partisan, political use to harass opponents. Corruption is so deeply entrenched in the system that most people regard

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corruption as inevitable and any effort to fight it as futile. This cynicism is spreading so fast that it bodes ill for our democratic system itself.

There are two, somewhat contrary, approaches in dealing with corruption and abuse of office. The first is overemphasis on values and character. Many people lament the decline in values and the consequent rise in corruption. The implicit assumption is that until values are restored, nothing much can be done to improve the conduct of human beings.

The second approach is based on the belief that most human beings are fundamentally decent and socially conscious, but there are always a small proportion of people, who cannot reconcile individual goals with the good of society. Such deviant people tend to pursue personal gain at the cost of public good and the purpose of organized government is to punish such deviant behaviour. If good behaviour is consistently rewarded and bad behaviour consistently punished, the bulk of the people follow the straight and narrow path (also refer instrumental conditioning in Unit-2)

In the real world, both values and institutions matter. Values are needed to serve as guiding stars, and they exist in abundance in our society. A sense of right and wrong is intrinsic to our culture and civilization. But values need to be sustained by institutions to be durable and to serve as an example to others. Values without institutional support will soon be weakened and dissipated. Institutions provide the container, which gives shape and content to values. This is the basis of all statecraft and laws and institutions. While incentives and institutions matter for all people, they are critical in dealing with the army of public servants – elected or appointed – endowed with authority to make decisions and impact on human lives and exercising the power to determine allocation of resources. Public office and control over public purse offer enormous temptation and opportunity to promote private gain at public cost. Therefore, creation of institutions and designing of

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incentives are of utmost importance in promoting ethical conduct of public servants.

Challenges of Corruption

The challenges of corruption manifest themselves in following forms:

- Those who benefit from a corrupt status quo will try to impede reform. Improvements in human wellbeing seldom occur spontaneously but, instead, require government actions to complement private efforts. Governments that waste resources through malfeasance or inadvertence are a drag on growth and undermine the achievement of other goals.
- High levels of corruption are associated with lower levels of investment and growth and corruption discourages both capital inflows and foreign direct investment.
- Corruption lowers productivity, reduces the effectiveness of industrial policies, and encourages business to operate in the unofficial sector in violation of tax and regulatory laws.
- Highly corrupt countries tend to under-invest in human capital by spending less on education, to over-invest in public infrastructure relative to private investment, and to have lower levels of environmental quality.
- High levels of corruption produce a more unequal distribution of Income.
- Corrupt governments lack political legitimacy. In circumstances of low government legitimacy, citizens try to avoid paying taxes, and firms go underground to hide from the burden of bureaucracy, including attempts to solicit bribes.

Moreover, anti-corruption interventions so far made are seen to be ineffectual and there is widespread public cynicism about them. The interventions are seen as mere posturing without any

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real intention to bring the corrupt to book. They are also seen as handy weapons for partisan, political use to harass opponents. Corruption is so deeply entrenched in the system that most people regard corruption as inevitable and any effort to fight it as futile. This cynicism is spreading so fast that it bodes ill for our democratic system itself.

Ironically, it has also been observed that the people, to a large extent, have accepted corruption as a way of their life and they do not judge it on the grounds of morality and ethics anymore. In other words, the moral threshold of the society has increased and people now consider it as an integral part of the way- an administration functions. This is increasingly becoming a major obstacle in fighting with this menace.

Corruption Laws in India

Public servants in India can be penalized for corruption under the Indian Penal Code, 1B60 and the Prevention of Corruption Act, 1983. The Benami Transactions (Prohibition) Act, 1938 prohibits benami transactions. The Prevention of Money Laundering Act, 2002 penalises public servants for the offence of money laundering. India is also a signatory (not ratified) to the UN Convention against Corruption since 2005. The Convention covers a wide range of acts of corruption and also proposes certain preventive policies.

Key Features of the Acts Related to Corruption

Indian Penal Code, 18&0

- The IPC defines "public servant as a government employee, officers in the military, navy or air force; police, judges, officers of Court of Justice, and any local authority established by a Central or State Act.
- Section 169 pertains to a public servant unlawfully buying or bidding for property. The public servant shall be punished

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with imprisonment of upto two years or with fine or both. If the property is purchased, it shall be confiscated.

- Section 409 pertains to criminal breach of trust by a public servant. The public servant shall be punished with life imprisonment or with imprisonment of upto 10 years and a fine.
- In addition to the categories included in the IPC, the definition Of "public servant" includes office bearers of cooperative societies receiving financial aid from the government, employees of universities, Public Service Commission and banks.
- If a public servant takes gratification other than his legal remuneration in respect of an official act or to influence public servants is liable to minimum punishment of six months and maximum punishment of five years and fine. The Act also penalises a public servant for taking gratification to influence the public by illegal means and for exercising his personal influence with a public servant.
- If a public servant accepts a valuable thing without paying for it or paying inadequately from a person with whom he is involved in a business transaction in his official capacity, he shall be penalized with minimum punishment of six months and maximum punishment of five years and fine.
- It is necessary to obtain prior sanction from the central or state government in order to prosecute a public servant.

The Benami Transactions (Prohibition) Act, 19118

- The Act prohibits any benami transaction (purchase of property in false name of another person who does not pay for the property) except when a person purchases property in his wife's or unmarried daughter's name.
- Any person who enters into a benami transaction shall be punishable with imprisonment of upto three years and/or a fine.

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- All properties that are held to be benami can be acquired by a prescribed authority and no money shall be paid for such acquisition.

The Prevention of Money Laundering Act, 2002

- The Act states that an offence of money laundering has been committed if a person is a party to any process connected with the proceeds of crime and projects such proceeds as untainted property. "Proceeds of crime" means any property obtained by a person as a result of criminal activity related to certain offences listed in the schedule to the Act. A person can be charged with the offence of money laundering only if he has been charged with committing a scheduled offence.
- The penalty for committing the offence of money laundering is rigorous imprisonment for three to seven years and a fine of upto Rs 5 lakh. If a person is convicted of an offence under the Narcotics Drugs and Psychotropic Substances Act, 1965, the term of imprisonment can extend upto 10 years.
- The Adjudicating Authority, appointed by the central government, shall decide whether any of the property attached or seized is involved in money laundering. An Appellate Tribunal shall hear appeals against the orders of the Adjudicating Authority and any other authority under the Act.
- Every banking company, financial institution and intermediary shall maintain a record of all transactions of a specified nature and value, and verify and maintain records of all its customers, and furnish such information to the specified authorities.

Process Followed to Investigate and Prosecute Corrupt Public Servants

- The three main authorities involved in inquiring, investigating and prosecuting corruption cases are the Central Vigilance Commission (CVQ, the Central Bureau of Investigation (CRD and the state Anti-Corruption Bureau (ACBV Cases related

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to money laundering by public servants are investigated and prosecuted by the Directorate of Enforcement and the Financial Intelligence Unit, which are under the Ministry of Finance.

- The CBI and state ACBs investigate cases related to corruption under the Prevention of Corruption Act, 1988 and the Indian Penal Code, 1860. The CBI's jurisdiction is the central government and Union Territories while the state ACBs investigates cases within the states. States can refer cases to the CBI.
- The CVC is a statutory body that supervises corruption cases in government departments. The CBI is under its supervision. The CVC can refer cases either to the Central Vigilance Officer fCVOI in each department or to the CBI. The CVC or the CVO recommends the action to be taken against a public servant but the decision to take any disciplinary action against a civil servant rests on the department authority.
- Prosecution can be initiated by an investigating agency only after it has the prior sanction of the central or state government. Government appointed prosecutors undertake the prosecution proceeding in the courts.
- All cases under the Prevention of Corruption Act, 198B are tried by Special Judges who are appointed by the central or state government.

Bringing Probity in Governance- A Multi-pronged Approach

To bring probity in governance and curb corruption we should follow mulli pronged approach-

- Accountability through Right to Information Act and transparency through digitization process (e-governance) will curb corruption to certain extent.

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- The Bill for time hound delivery of goods and services, if effectively implemented, will increase credibility in government services.
- Strengthening Panchayati Raj Institutions (PRIs) as platform for citizen participation in governance as well as awareness of their rights and duties through various programmes.
- More teeth to grievance redressal system.
- Bringing public participation in service delivery through PPP based system.
- Privatizing certain segments which are better done through private firms reducing cost and faster delivery of service.
- Imparting values based training to public officials.
- Reforms in education system with more emphasis on the equality and morality.
- Electoral reforms and stricter adherence to the guidelines, coalition defiance laws, etc.
- Strengthening of Ombudsman system for independent scrutiny in the high level corruption cases.
- Effective implementation of citizen charters.

Canons of Financial Propriety

Every officer incurring or authorizing expenditure from public money should be guided by high standards of financial propriety. Every officer should also enforce financial order and strict economy and see that all relevant financial rules and regulations are observed by his own office and by subordinate disbursing officers. Among the principles on which emphasis is generally laid are the following:-

- Every officer is expected to exercise the same vigilance in respect of expenditure incurred from public money as a person of ordinary prudence would exercise in respect of expenditure of his own money.

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- The expenditure should not be prima facie more than what the occasion demands.
- No authority should exercise its powers of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage,
- Expenditure from public money should not be incurred for the benefit of a particular person or a section of the people, unless -
  - a claim for the amount could be enforced in a Court of Law, or
  - the expenditure is in pursuance of a recognized policy or custom.
- The amount of allowances granted to meet expenditure of a particular type should be so regulated that the allowances are not on the whole a source of profit to the recipients.

The Legislative Control over Administration

In India the legislature, the representative body of the people exercises control over the administration. The administration cannot act contrary to the guidelines laid down by the legislature. It lays down the broader policy of administration. The legislature not only defines the functions of the government but also provides the finance for its various programmes. The control over financial matters is exercised through the various committees established by the legislature. The administration cannot spend a single rupee without the sanction of legislature. The administration is expected to keep the accurate account of all financial transactions and submit the reports of such transactions to the legislature.

The legislature also deals with the matter related with public personnel. The manner of recruitment of the public personnel, their number, their duties and powers, their service conditions, rules of procedure, code of conduct, etc. are determined by the legislature.

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The failure to adhere to those rules accounts for the disciplinary action against the administration. Further the public personnel are held responsible for their official acts. They are supposed to keep the proper records of their official acts and submit the reports to the legislature at least once a year, when called upon by the legislature giving a full account of their acts. The legislature may also conduct the special investigation or inquiry of the manner in which administrative affairs have been conducted. The legislature has the general power of direction, supervision and control over administration.

The Means of Legislative Control

The opportunity to exercise control over the administration assumes several forms such as questions, resolutions, Zero-Hour Discussions, Adjournment Motions, Vote of Censure, Budget and the Parliamentary Committees. The various means are discussed below?

- The President's Speech
- Discussion on Budget
- Question Hour
- Adjournment Motions
- Censure Motion
- Debates on the Legislations
- Parliamentary Committees
- External Audit

Budget

Budget is a statement of estimated revenues and expenditures. It is a comparative table giving the amounts of the receipts to be realized and of the expenses to be incurred.

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In a way, the Budget is a forecast and an estimate of all the public receipts and expenses and an authorization to incur them and to collect them. The Budget, thus, is something much more than a mere estimate of revenues and expenditures. It is a plan of government action from the financial point of view. It is an instrument for the articulation of government programmes which have ramifications in the entire national economy. Thus considered, the Budget has tremendous social and economic implications in a genuine welfare state.

Importance of Budgeting

When public money is sent for public purposes, the important task before public administration is to have efficient management of public money, Budgeting is one of the major processes by which the use of public resources is planned and controlled. Its importance can be understood from following:

- It helps administrative management and co-ordination.
- It is an instrument of social and economic policy.
- Budgetary system is the most important technique of parliamentary control over administration.
- It ensures the financial and legal accountability of the executive to the legislature.

Auditing

Audit is one of the most important instruments of parliamentary control over the finances of the country. Independent audit is a very important safeguard of the public money. Auditing is a systematic examination of the books and records of a business or other organisations in order to ascertain or verify and to report upon the facts regarding its financial operations and the results thereof. Audit of government money in a democratic country is done by an independent officer, who performs this duty on behalf

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of The legislature. It is his duty to see that money has been spent economically and honestly.

Parliamentary Committees

The Parliamentary committees act as a tool of effective control over the administration. The financial committees of the Parliament such as Committee on Public Undertakings exercise detail and substantial control over the financial matters. The Committee on Assurances reports on as to what extent the assurances given by the ministers on the floor of the House are implemented in a specified time limit required for the purpose. Such enquiry makes ministers more responsible and careful and administration to take quick action on the given promises.

Judicial Control over Public Administration

Public administration exercises a large volume of power to meet the citizens' needs in modern democratic welfare state. Today administration is not concerned with only pure administrative functions but also involved with a large number of quasi-legislative and quasi-judicial functions. In this respect they have a number of chances to become arbitrary or master of the citizens. So it is very necessary to control them. One of the ways for controlling the administrative actions is control through judiciary. Here, judicial control means the power of the courts to examine the Legality of the officials act and thereby to safeguard the fundamental and other essential rights of the citizens.

The role of judiciary in protecting the citizens against the excesses of officials has become all the more important with the increase in the powers and discretion of the public officials in the modern welfare states. But the courts cannot interfere in the administrative activities of their own accord. They can intervene only when they are invited to do so by any person who feels that his rights have been abrogated or are likely to be abrogated as a

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result of some action of the public official. Secondly, the courts cannot interfere in each and every administrative act, as too much of judicial action may make the official too much conscious and very Eiftle of it may make them negligent of the rights of citizens.

Forms of Judicial Control over Administration

- Judicial Review
- Statutory Appeals
- Criminal and Civil Suits against Public Officials
- Extraordinary Remedies (prerogative writs)

Judicial Review

The judicial review implies the power of the courts to examine the legality and constitutionality of administrative acts of officials and also the executive orders and the legislative enactments. This is very important method of judicial control. The statutes made by Parliament and State Assemblies itself provide that in a particular type of administrative action, the aggrieved party will have a right of appeal to the courts or to a higher administrative tribunal. Sometimes, legislative enactment itself may provide for judicial intervention in certain matters.

Ombudsman

The traditional democratic avenues of accountability through parliamentary controls have become increasingly inadequate with the growth of state activities in a democratic welfare state. Not only has government hureaucracy expanded, so have the points of contact between citizens and the state. Because of this, some disputes inevitably occur, and often on a scale and complexity which renders traditional avenues of redress largely inappropriate. To resolve such disputes numerous mechanisms

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have been adopted worldwide through which the decisions and actions of public authorities can be challenged. Four main avenues can be identified:- the courts; statutory inquiries; administrative tribunals; and ombudsman.

Ombudsman as a control mechanism aims at restricting administrative excesses and ensuring fair play in the exercise of administrative powers. An ombudsman is an officer of state appointed to provide a check on the rights of the citizens against government actions. Ombudsman, in the words of Cutchin, is a respected, apolitical individual outside the bureaucracy who is empowered to investigate citizens' complaints about government services and recommend rectification. Usually he has the power to investigate, criticize, and publicize administrative actions, but cannot reverse them. In principle it enables a citizen who feels that he/she has been the victim of mal-administration to make a complaint to the ombudsman office.

The ombudsman serves three related purposes:

- Redressing individual grievances;
- Improving the quality of administration; and
- Helping the legislature to supervise the bureaucracy.

The very existence of an ombudsman improves the general climate of public opinion towards government. The citizens who secure redress are generally gratified. Others may become reconciled by the ombudsman's explanation of the basis for agency actions. Moreover, the ombudsman encourages the administration to explain to the citizen why it acts as it does and to include in any adverse decision clear information as to the possible right of appeal. More generally, the populace gains a sense of security in knowing that there is someone to whom they can turn.

Indian Ombudsman- Lokpal and Lokayukta

Lokpal at the central level and Lokayukta at the state level refer

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to an independent body which is empowered to enquire into cases of corruption against public functionaries, with a mechanism for filing complaints and conducting inquiries. The Lokpal is enacted to act as a watchdog over the integrity of Ministers, Members of Parliament and the senior civil servants.

In December, 2013 the Parliament passed the historic Lokpal Bill that provides for formation of an anti-graft ombudsman to fight corruption in public offices and ensure accountability on the part of public officials, including the Prime Minister, but with some safeguards.

Following are some important features of the Lokpal and Lokayuktas Bill, 2011, passed by Parliament.

- Lokpal at the Centre and Lokayukta at the level of the states.
- Lokpal will consist of a chairperson and a maximum of eight members, of which 50 per cent shall be judicial members.
- 50 per cent of members of Lokpal shall be from SC/ST/OBCs, minorities and women.
- The selection of chairperson and members of Lokpal shall be through a selection committee consisting of Prime Minister, Speaker of Lok Sabha, Leader of Opposition in the Lok Sabha, Chief Justice of India or a sitting Supreme Court judge nominated by CJI, eminent jurist to be nominated by the President of India on the basis of recommendations of the first four members of the selection committee.
- Prime Minister has been brought under the purview of the Lokpal.
- Lokpal's jurisdiction will cover all categories of public servants.
- All entities receiving donations from foreign source in the context of the Foreign Contribution Regulation Act (FCRA) in excess of Rs 10 lakh per year are brought under the jurisdiction of Lokpal.

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- Provides adequate protection for honest and upright public servants.
- Lokpal will have power of superintendence and direction over any investigation agency including CBJ for cases referred to them by Lokpal.
- A high powered committee chaired by the Prime Minister will recommend selection of the Director, CBI.
- Directorate of Prosecution headed by a Director of Prosecution under the overall control of Director.
- The appointment of the Director of Prosecution, CBi on the recommendation of the Central Vigilance Commission.
- Transfer of officers of CBI investigating cases referred by Lokpal with the approval of Lokpal.
- The bill also incorporates provisions for attachment and confiscation of property acquired by corrupt means, even while prosecution is pending.
- The bill lays down clear time lines for preliminary enquiry and investigation and trial and towards this end, the bill provides for setting up of special courts.
- A mandate for setting up of the institution of Lokayukta through enactment of a law by the State Legislature within a period of 365 days from the date of commencement of the Act.

Right to Service

The Right to Service legislation is a mechanism to ensure time-bound delivery of services by public officials, prompt solutions to people's grievances and to make public officials punishable for delays. With this legislation, service becomes a right, and no longer remains an act of benevolence.

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Right to Service legislation is aimed to reduce corruption among the government officials and to increase transparency and public accountability.

Social Audit

Social Audit is a process in which the details of the resources, financial and non-financial, used by the public agencies for the development initiatives, are shared with the people, often through a public platform. It allows people to enforce transparency and accountability, thereby providing the ultimate users an opportunity to scrutinize the development initiatives.

Social audit can also be defined as a tool with which government departments can plan, manage and measure non-financial activities and monitor both internal and external consequences of the department/ organisation's social and commercial operations. It is an instrument of social accountability for an organisation. In other words, Social Audit may be defined as an in-depth scrutiny and analysis of the working of any public utility vis-à-vis its social relevance. Social Audit gained significance especially after the 73rd Amendment of the Constitution relating to Panchayati Raj Institutions.

The purpose of conducting Social Audit is not to find fault with the individual functionaries but to assess the performance in terms of social, environmental and community goals of the organisation. It is a way of measuring the extent to which an organisation lives up to the shared values and objectives it has committed itself to. It provides an assessment of the impact of an organisation's non-financial objectives through systematic and regular monitoring, based on the views of its stakeholders.

E-Government

E-Government is defined as the application of Information and Communication Technology (ICT) by government agencies to

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improve the efficiency, effectiveness, transparency and accountability of government. ETjovernment aims to make the interaction between government and citizens, government and business enterprises, and inter-agency relationships more friendly, convenient, transparent, and cost-effective.

E-Governance

The impact of information technology on Indian Administration finds manifestation in the Electronic governance, i.e. E-Governance. E-G is the application of Os to the processes of government functioning to accomplish simple, accountable, speedy, responsive and transparent governance. It aims to steer society and promote public interest. The essence of E-governance is to reach the beneficiary and ensure that the services intended to reach the desired individual has been met with. The E-Governance envisages multiple way transactions through widest networking between diverse social entities and all political and administrative activities.

E-G is not about simply automating their current ways of doing business. With the new tools of a networked society, government is not merely computerising existing government; it is transforming the existing government. E-G is the ICT enabled route to achieving good governance. it integrates people, processes information and technology for meeting governance goats. E-G represents a journey from passive information giving to active citizen involvement: Informing the Citizen; Listening to the citizen; Representing the citizen; Consulting the citizen and Engaging the citizen.

Case Study I

Mrs. X has recently cleared a central government exam and joined her dream job. During her first year, she began to notice that funds allocated to her department is being mismanaged and misallocated.

However, Mrs. X was most shocked by the hiring practices she witnessed at the office. Prospective applicants were supposed

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to take exams that were monitored by government employees. The results of these exams determined whether or not the applicants were appointed and what they were hired for. Mrs. X began to notice that those monitoring the exam were allowing applicants to cheat in the tests because the applicants had already been chosen for the job. Many of these pre-chosen applicants were friends of current employees.

Mrs. X reported what she witnessed to Mr. V, the department's assistant secretary, who was second-in-command to the department head. Mr. Y told Mrs. X, "You heard nothing, you saw nothing, you do as you are told and you'll get your reward." Mrs. X was absolutely shocked; not only by the corruption, but that it was deliberately being swept under the carpet.

Mrs. X felt trapped. She really needed the job to take care of her parents, and she loved the job she was doing. On the other hand, she felt extremely uncomfortable in her work environment due to the culture of corruption.

Analyse the situation and different options available to Mrs. X. What should Mrs. X do to come out from this ethical dilemma?

Premise: The case presents an example of dilemma faced by Mrs X along with the challenges posed by the mismanagement and misallocation of public funds, corruption and nepotism in hiring of employees.

This case comes under the following topic:

- Ethical Dilemma
- Challenges of Corruption
- Conscience as a Source of Ethical Guidance

Answer: Mrs. X is facing an ethical dilemma where she has to choose between being a woman of integrity having respect for professional ethics or she should go for her socio-economic well being and fulfil her responsibility towards the family.

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The people who are involved in this situation and will be affected by the decision of Mrs. X are Mrs. X herself, her family, organisation in which she's working and candidates which have given the recruitment exam. Government and society at large will also be affected in the long run.

The different courses of action which Mrs. X can go for are:

- Leave the organisation and look for some other job.
- Adapt to the organisation by changing her moral system.
- Secretly leaking the information with the proof of corruption to the press.
- Try to change the malpractices in the organisation through legitimate means.

The first option that is leaving the organisation and get into some other job may be an easy way out for Mrs. X but will definitely not the right one. By doing this, she will run away from the problem instead of solving it. There is also no guarantee that she will not find corruption in the next organisation she will join. Such action will further encourage corrupt officers to indulge in nepotism as any voice against them can be easily curbed into silence. Such action will also go against the professional values of taking responsibility of changing the system for good and putting national interest over her personal interest. Such action will also go against the virtues of courage, patriotism and dedication towards her organisation and society at large. The present fob is the dream job of Mrs. X and leaving it will not be that easy due to emotional attachment. Such action may also impact the resume of Mrs. X as she will not be able to give a valid reason for leaving the previous job.

The second option that is adapting to the organisation by ignoring or changing her moral values may work in the short run by giving financial benefits and job assurance but can be disastrous in the long run. Moral values take long time to integrate themselves with one's personality. It is not easy to change them in the short period

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of time. Thus, the present morals of Mrs. X i.e. honesty, loyalty, truthfulness, integrity and commitment towards the organisation will often come in conflict with the corrupt behaviour of Mrs. X. This will further lead to dissonance and unrest as incongruence will be there in thought and action.

Such transformation of Mrs X will be harmful for the organisation and the society as it will lead to corruption and nepotism. Such action will violate the fundamental right of equal opportunity in employment to every candidate under Article 16 of our Constitution. It will also go against the spirit of Article 39(c) which calls for action to avoid concentration of wealth in few hands. Such action will be harmful for the majority of the people in the organisation as well as in the society as it will only benefit few corrupt officers and their political bosses. Thus both utilitarianism and rights perspective go against this option of adapting to the corrupt activities of the organisation.

Such action will also lead to injustice to the candidates and the society as equal distribution of benefits and burdens in equal circumstances is not there. Benefits will be enjoyed by corrupt officials and rich candidates but the burden will fall upon those candidates who are honest or are not able to bribe the officials. Such action will further lead to social instability as people will discard public institutions as unfair and discriminatory.

Credibility and trustworthiness of government organisations among the citizens is a common good which is beneficial to everyone. Once it is destroyed, it will lead to chaos and anarchy in the society. Such action of adapting to the corrupt activities will also go against the ideals set by Mrs. X in her endeavour of life.

The third option that is secretly leaking the information to the press may solve the problem but will also have certain negative repercussions. Job of Mrs. X will remain safe without making any compromise on her part but it will be against the professional values of secrecy and loyalty towards the organisation. Secondly, it will bring criticism to the organisation as whole and will reduce the confidence of people in the recruitment process.

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The fourth and the last option i.e. making efforts to remove malpractices in the organisation through legitimate means seem to be the most appropriate one. The government has enacted many laws like:

- The Right to Information Act (2005} and equivalent Acts in the states that require government officials to provide information requested by citizens or face punitive action.
- Indian Penal Code, 1660
- Prosecution Section of Income Tax Act,1961
- The Prevention of Corruption Act, 1968

  The Benami Transactions (Prohibition} Art, 1986 to prohibit benamt transactions.

- Prevention of Money Laundering Act, 2002

These laws have considerably reduced corruption or at least have opened up avenues to redness grievance.

Through the enaction of the WHISTLE BLOWERS PROTECTION BILL, 2011, as it establish a mechanism to receive complaints relating to disclosure or any allegation of corruption or wilful misuse of power or wilful misuse of discretion against any public servant. It also seeks to inquire into such disclosure and provides adequate safeguards against victimization of the person making such complaint.

THE LOKPAL AND LOKAYUKTAS ACT, 2013, received the assent of the President On the 1st January, 2014, which provides for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries. Whereas India has ratified the United Nations Convention Against Corruption and the Government's commitment to clean and responsive governance has to be reflected in effective bodies to contain and punish acts of corruption; therefore parliament have enacted these laws for more effective implementation of the said Convention and to provide for prompt and fair investigation and prosecution in cases of corruption to ensure transparency and probity in governance,

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The Directorate General of Income Tax Investigation, Central Vigilance Commission and Central Bureau of Investigation are certain organisations which deal with anti-corruption initiatives. Every department has its own internal mechanism to check corruption.

Thus, Mrs. X can also take help of these internal mechanisms to fight against corruption in her organisation. At first she can approach to the head of the department along with the proof. If he also does not listen to the genuine complains then she can approach other anti-corruption agencies in the government.

Even if she just refuses to take bribe and stay firm on her decision, it will create fear in the mind of the wrong doers and it will force them to rethink their actions. She can also act as a whistleblower but only as a last resort because this will bring the incident in the open.

Though working on this option will not be easy for Mrs. X as she'll face hostile environment in her own organisation. But in the long term, this is the only way through which some concrete changes can be made. The success of Mrs. X will finally depend upon her courage, integrity and dedication towards a corruption free society.

Case Study ff

Mr. X is the board member of State Industrial Development Corporation (SIDC). The organization is responsible for allotment of industrial plots and functions under the supervision of Managing Director (MD). The demand for plots far exceeds supply and offers scope for corruption. The chairman of SIDC is an influential politician who wants to gain from the situation. Unfortunately, MD decides to go along with the chairman, and enters into a nexus with him. To further their purposes, they create an opaque system for the allotment. Outwardly, the allotment of plots was based on first-come-first served basis, but there was no system of promptly recording the date and time of receipt of applications, especially using tamper proof computer software. The chairman

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assumed the power of discretionary allotments under the pretext of helping highly deserving or hard pressed entrepreneurs. By making arbitrary allotments of industrial plots and through other means the chairman and the MD made money. As a result, plots have been allotted to non-industrialists. Most of the out of turn allotments went to influential individuals. Many plots were much larger than the permissible size. No reliable records were available to show the application dates, or any reliable queue system for making allotments. Many allotments were made without consulting the Board. Mr. X is aware of all these developments. Under these circumstances, what course of action will be taken by Mr. X to check the ongoing corrupt practices?

This case comes under the following topics:

* Challenges of Corruption
* Transparency and Accountability
* Morality
* Ethical Concerns in Public Administration

Premise: The given case exemplifies the nexus between two highest officials of the organization. It highlights the corrupt practices adopted by them in order to make personal gain. Hence the first and foremost questions arises is that of transparency and accountability. Moreover it highlights the dilemma of a board member to deal with the situation. Even after being aware of the corrupt practices adopted by the organizational heads, he is unable to take any direct action in the lack of evidence.

Answer: SIDC is an organization that creates industrial estates in acquired land by providing infrastructure such as roads, water supply, drainage, power, waste disposal, transport, parking lots, and bank branches and so on. Since there is a high demand of plots in comparison *to* the supply, the corruption is bound to happen. In this case also, MD and Chairman has entered into nexus and manipulated the allotment process for personal gains. Allhough Mr.

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X is aware of the corrupt practices ongoing in the organization but he is unable to intervene directly in lack of evidence. It is quite natural that both the heads of the organization would resist the attempts of board members to introduce a system for plot allotment through public auctions. Under these circumstances Mr. X can take following actions:

- He should call the urgent meeting of all the board members and discuss the issue with them and arrive on a plan to tackle the issue, based on consensus.
- In order to gather the evidence, he along with the other Board members should meet some of the applicants who were denied plots. He should ask the applicants to seek information regarding allotment process and the name of those allotted the plots, by using Right to Information.
- With the help of these applicants Mr. X should instigate some dummy applications in order to reveal the truth. Once these applicants are allotted with the plot, the board members should immediately report the matter to the CVO (Chief Vigilance Officer) of the department concerned.
- He should recommend to CVO, an inquiry against the various irregularities that have been taken place in the organisations.
- in the meanwhile, he should also report the matter to anti-corruption police and conduct the raid in the residences of the chairman and MD. As most of the money earned by them is unaccounted, they must have been kept in cash. A raid by police may help in recovering large amounts of cash collected through unfair means.
- Once all this Is over, as a long term measure Mr. X should recommend the government to empower the board members to make recommendation for removal of MD and Chairman, if found engaged in unfair practices, so that the issue can be dealt effectively if occurs in future again. ■

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UNIT

8

CASE STUDIES

Understanding Terminologies/Concepts through Case-Studies

As said in the foreword; learning through case-study model is basically to understand the "dynamicity" of the concepts and appreciate its practical part. UP5C – as the recruitment agency of Col – has been brainstorming its testing methodologies so as to come up with something that can be in commensuration with the needs and demands that is entrusted upon a serving bureaucrat in the present world.

With India evolving from an emerging economy to a matured economy in the hyper-globalised world; the "pulls" and "pressure" on the public servant is more than ever. Keeping this in mind and also appreciating the limitations of the theoretical pedagogy, URSC has decided to go with the best and latest international practices of testing the acumen that would be required from a serving 'public-servants'.

After discussing the terms, concepts, and theories in previous chapters now, will deal with some case-studies. Through these case studies, we have tried to bring out the comprehensive understanding of the concepts, theories and its application.

The case-studies are taken directly from the newspapers with some minor changes. This has been done to enhance the understanding of the readers as far as the situational-dilemma is concerned. The criterion for selection of a particular news as case study has been made on the basis whether that news item has sufficient material to put it under any of the varied topics mentioned in the syllabus of the Paper IV. Further, some case studies have

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also been taken from international journals of repute including Carnegie Council for Ethics in International Affairs – to which we have provided that *UPSC-touchtf – so that the readability factor in-coherence to the syllabic content is amplified with minimal distractions.

With these, we initiate the chapter with a slight bit of discussion.

Learning through Case Studies: A Brief Analysis

Paper IV is the most repeated term within UPSC aspirants.

And why not?

This is the only domain that remains to be "absolutely" deciphered and well interpreted by the stakeholders engaged with the UPSC preparation; whether that be aspirants or that be Coaching institutes. Still, with the experience that CSC has in its hindsight and loads of content to fall back upon; we feel that we can probably make the most correct and informed analysis of the same.

Within this context, we present the whole syllabic content - with its nuances endeavouring to test the bureaucratic ethics – in the form of case studies.

It will be pertinent to communicate with our readers that the case study material has been taken from the newspapers (with minimal changes) – the Hindu, Indian Express, Business Line, Times of India and Mint – and thus maintains the journalistic tinge coupled with the reporting lingo. This has been done knowingly to bring to Your appreciation the whole context and that scenario so as to befitiingly reply to the issues underpinning it.

Further, language of case study – used in the practical pedagogic sciences (read Management Classes) – is like the one we have used. A case study and its associated scenario wanting further deliberations are meant to test the psychological make-up of the person bringing out the humane qualities within him/her.

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This chapter on case study will go a long way to further elaborate on the subtleties of the text mentioned in the Lexicon.

What is Case Study?

A case study is an account of an activity, event or problem that contains a real or hypothetical situation and includes the complexities one would encounter in the workplace. Case studies are used to help you see how the complexities of real life influence decisions.

Analysing a case study requires you to practice applying your knowledge and your thinking skills to a real situation. To learn from a case study analysis you will be "analysing, applying knowledge, reasoning and drawing conclusions" (Kardos & Smith 1979).

According to Kardos and Smith (1979) a good case has the following features:

1. It is taken from real life (true identities may be concealed).
2. It consists of many parts and each part usually ends with problems and points for discussion. There may not be a clear cut off point to the situation.
3. It includes sufficient information for the reader to treat problems and issues.
4. It is believable for the reader (the case contains the setting, personalities, sequence of events, problems and conflicts),

So, in a nutshell; a case study gives you an opportunity to "participate" rather than be passive. it calls for a more engaged approach from the examinees and at the same lime it is the best methodology at the hands of the examiner where he can test the probability of the presence/absence of the potential within the candidate beyond what is available in a plain answer/question type exam.

Hence, we have taken news events as case study. Each case study is examined and analysed from different perspective and provided with possible solution.

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Case Study – The Best Strategy to "Tame" the "Unknown Elephant" in the Room

Case Study requires the optimum approach Taking the most judicious methodology of cause-effect dialogue form where sans being hyper-critical and hyper-judgmental about a scenario {mentioned in the case} what you can do to establish the optimized approach.

In any case there is a cause and an effect for that; what you are expected to do is to:

Break the chain of direct co-relational dynamics if you are to prove that, that particular cause has nothing to do with that effect;

Or

You have to doubly prove the direct correspondence with the cause and its related effect.

On the other hand, if you are asked to suggest/formulate anything for betterment than be judicious with the usage of the words. Any word has its subtle taste that is much deeper than its explicit meaning, counting on this aspect be cautious so that you do not distract yourself from the main issue.

Economical usage of the words particularly for questions from this section has two benefits:

First, it is best strategy for exam where every second counts. Secondly, it also prevents you from getting unnecessarily trapped in to write the same thing again and again without bringing in any novel idea. Also, it maintains your caution level so that you do not contradict yourself with what you had said in the beginning and what you will be saying at last.

Case Study t

Sr babu's wife rejected for HC judge

Supreme Court judge Justice T S Thakur has written to the Chief Justice of India opposing four names, including that of Union

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home secretary Anil Goswami's wife Neeru Goswami, recommended by the Jammu & Kashmir high court for appointment as judges

A central government standing counsel in the high court, Neeru Goswami's name along with three others from the minority community was recommended by the J&K Ht collegium to the apex court collegium — the final recommending authority for appointment of judges in the higher judicial Thakur expressed reservation on all four names and asked the SC collegium to send the names back to the J&K high court for reconsideration.

Thakur is slated to become the CJI in December 2015 and will have a tenure of a little over one year.

As per the procedure for appointment of HC judges, the apex court collegium headed by the CJI sought Thakur's opinion as he had belonged to the J&K HC. Thakur was appointed an additional judge of the J&K HC in February 1994 and moved to Karnataka HC as judge in March 1994.

"The news was published an 291b April, 2014 in the Times of Indio

Premise: "The news quotes that four names, recommended for appointment of judges in J&K high court (HC) were send for reconsideration by a senior judge of Supreme Court, who is next in line to become CJI. Among those rejected, was the name of the wife of a senior bureaucrat (Union Home Secretary), despite of the fact that she is a senior and experienced advocate of J&K HC and her name was recommended by the collegium of Judges of HC. She also has the support of the Bar Council."

Question : Does the judges of SC has an absolute say over the appointment of judges of HCs? Does, the conferment of such an absolute powers amount to lack of accountability mechanisms in Judiciary? In this light, discuss the system of judicial appointments in India. Do you feel that a reform in system of appointment of judges is the need of the time?

This case comes under the following topic

- Accountability and ethical governance

Answer; India has a system of integrated judiciary. The system places Supreme Court (SO at the apex of criminal justice system. Unlike USA, where centre and states have their own separate and independent courts, in India, all the high courts (HO of states along with the subordinate courts are placed under the SC. The constitution of India has also empowered SC with appellate jurisdiction where it entertains the appeals against the verdict and judgements of HCs.

Clause (1) of Article 217 of the Indian Constitution deals with the appointment of judges in HC. It says that "every judge of a High Court shall be appointed by the President by warrant under his hand and seal after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a judge other than the Chief Justice, the Chief Justice of the High Court. A reading of this clause shows that while the appointment is made by the President, it has to be made after consultation with three authorities, namely, the Chief justice of India, the Governor of the State and the Chief Justice of the High Court. (in the matter of appointment of Chief justice, the consultation with the Chief Justice is not required). Here the word 'consultation' is , most important and courl has, from time to time, has given its interpretation.

In first judges case 0982) SC ruled that 'consultation" did not mean 'concurrence' and recommendation of CJI is not binding. However in the next ruling in second judges case (1993) the court reversed its earlier judgement and held that 'consultation" means "Concurrence'. The decision laid down that the recommendation for appointment to the High Court shall be made by the Chief Justice of the concerned High Court in consultation with his two senior-most colleagues. The opinion of the Chief Justice of India was given primacy in the matter and was to prevail over that of the Governor of the State or even that of the High Court, if inconsistent with his view.It further held that in giving recommendation, CJI has to consult 2 of the senior most judges of SC. This was reaffirmed in third judge case (1998) and SC ruled that CJI has to consult a collegium of 2 judges and in case of disagreement; the CJ! shall not recommend the name. So, at present, the appointment of judges in HC (or in higher judiciary) is governed by the system of collegium. In this case the name was recommended by the collegium of HC but one of the judge of the SC, who is next in line CJ[, has rejected the name and send them back for reconsideration.

The provisions clearly reveal the discretionary powers granted to judiciary, in the appointment of Judges. Although it is meant to secure the independence of judiciary, but giving such an absolute power to any organ of the government in a democratic country like India is of course undesirable. Moreover Lord Acton has said that "Power corrupts and absolute power corrupts absolutely*. This holds true for judiciary also. To deal with this, the government has proposed a new bill, named as Judicial Accountability Bill, to ensure that authority, accountability and independence of judiciary remains coequal and coterminus at all level.

The Constitution {120th Amendment) Bill proposes for Judicial Appointment Commission. An accompanying JAC Bill which is Judicial Appointments Commission Bill details the composition of the JAC and its terms, both clearly give the executive a role in deciding judicial appointments to higher courts and some say jeopardised the constitutional requirement of an independent judiciary. According to it, JAC shall be composed of:

- Chief Justice of India (Chair)
- 2 senior most SC judges
- Minister of Law
- 2 people nominated by collegium containing PM, CJI and Leader of opposition in LS

Such a plurality would surely be helpful in addressing the controversies surrounding the collegium system. Hence the reform in judiciary, especially in the appointment process, is the need of the time and should be dealt on priority basis.

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Case **Study** Ff

DM meets parents and principals to resolve school fee hike issue

Concerned about a large number of complaints of fee hike in schools, the GautamBudh Nagar district administration called for a meeting between school principals and parents and suggested that they talk to resolve pending issues.

The meeting was convened after the parents' association urged the district administration to stop schools from effecting their annual fee hike.

The association also demanded that they be allowed to submit the fees monthly rather than quarterly.

"Listen to their grievances and try to make a bond with them," said A V Rajamauli, district magistrate.

Rajamauli met the principals and representatives of around 50 private schools including Delhi Public School, BalBharati School, Lotus Valley School, Somerville School and others on Friday. He also spoke about the recent protest against fee hike in Ghaziabad and cautioned school authorities over any unpleasant situation.

Rajamouli said that while the government would respect the autonomy of private schools, the government's order must not be violated. "We are duty-bound to ensure that the government's order and Supreme Court's guidelines are followed by the schools," the DM said.

Meanwhile, parents' associations are happy with the district administration's intervention. They have been demanding strict enforcement of the UP government order of October 2011, which restricts any tuition fee hike For three years and not in excess of 10% when increased.

Alok Singh, president of Greater Noida Parents' Association, said that the school never invited them for any discussion and

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increased the fee on their own. “We are now optimistic that today's meeting has opened a forum where we can discuss our problems/ he said.

The school principals have agreed that the parents can submit the fees on a monthly basis if they want but they were reluctant on the fee hike issue. They argued that the fee increase in schools depends on various things including allowance given to staff members annually. "The fee hike is commensurate with the facility provided by the schools. This also helps in development and global exposure the students get in the school/ said Madhu Chandra, principal of Lotus Valley School.

The district administration has also sought details of the recent fee hike in schools so that action is taken. The meeting was also attended by representatives of Federation of Noida Residents' Welfare Association.

Meanwhile, the district magistrate also referred to the recent incident of fire in a school bus and warned the school officials to get their school buses examined periodically to avert strict action.

The news svas published on 3rd May, 2014 in the Times of India

Premise: "The news relates to the unrestricted hiking of fees by private schools. Private schools are independent schools and are government by the private trust. They do not receive aid from the government and provides much better educational infrastructure than government aided schools. Under such circumstances, it is necessary for them to demand a higher fee to maintain their quality. Ai the same time, it possesses difficulty for parent because of the out of pocket spending caused by unrestricted fee hikes/

Question: How far the intervention of the government is justified in a private school, which does not get a single penny from public exchequer? Does government have the authority to regulate the fee hike in private schools? Analyse the aforesaid case with special reference to the need of striking a balance between education quality and fee hike.

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This case comes under the following topic

- Accountability

Answer: Private schools are owned by private individuals and are governed by private trusts. They do not receive money or any form of financial assistance from the government. Moreover, the quality of education provided by them has no match with that of government aided schools, which stand at thin ground. For maintaining the quality educational infrastructure they need a huge capital. School fee, being the only major source of revenue for schools, makes it necessary for schools to hike fees after certain interval.

However, here it is important to understand that school is one of the major social institutions which facilitates the cognitive development of child. An unrestricted hike in school fees can be detrimental to the educational infrastructure of India as a whole. High school fees will also restrict the access of quality education facilities to the elite class of the society only. In a recent judgement, the Delhi High Court held that the fee hike by private unaided schools in the capital was highly objectionable and asked the government if the schools were following the mandatory provision of law with regard to their accounts.Earlier in 2012, Punjab and Haryana high court had ordered to restrain schools in Chandigarh, Punjab and Haryana from hiking fees without obtaining prior permission from the education boards and councils they are affiliated to.

Coming to the issue of intervention by the government authority, it is clear that school being the integral part of Indian society, is subject to the regulation of government. However, in order to ensure efficiency, the intervention must be exceptional in nature and shall only be done in limited circumstances.

Currently, the schools have been demanding up to 50 per cent hike in the tuition fee in order to implement the Sixth Pay Commission recommendations on teachers' salaries and arrears. This is certainty an issue which requires attention of the government. In

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this context resolution of the issue through a parent-teacher meeting is the best way out. The fee hike is necessary for the development of school infrastructure, which is precursor to quality education. But any such step should be consensus based and unilateral decision by the school authorities should be avoided.

Article 45 to the Indian constitution provides the provision for free and compulsory education for children. It says that the State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years. Additionally the enactment of 86th amendment act which added article 21A in Part III as 'Right to Education' also aims towards universalisation of elementary education. A unilateral fee hike is detrimental to the vision of our constitution makers. In this sense, the government intervention is well justified.

Case Study *3*

Owaisi Denied Permission to Hold Rally in Azamgarh

The Samajwadi Party Government in Uttar Pradesh has denied permission to the All-India Majlis-e-Ittehadul Muslimeen chief and Hyderabad MP Asaduddin Owaisi to hold a rally in Azamgarh today (Saturday). While the district administration did not respond to The Hindu's phone calls, it is said that the permission was denied citing fears of communal tension. Section 144 has been imposed to prevent any unlawful gathering.

Mr. Owaisi said the administration did not specify any reasons for denying permission and it "exposed" the SP's disregard for the Freedom of Expression. "We had applied a month ago. The administration, without specifying, denies permission and says it has orders from above. Mulayam Singh, who is aspiring to become Prime Minister, does not tolerate dissent. It shows that he considers U.P. his fiefdom," Mr. Owaisi told The Hindu. Mr. Owaisi will challenge the ban in the High Court.

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It is speculated that by targeting the SP on the Muzaffarnagar riots, Mr. Owaisi–a staunch critic of Mr. Mulayam Singh–could have hurt the SP's prospects in the upcoming Lok Sabha elections. The entry of a leader like Mr. Owaisi, who is known for his pro-Muslim opinions, could also polarise votes in the State, the SP leadership fears.

Mr. Owaisi clarified that the rally had no connection with the general elections. He said his focus was on developing local leadership, but hinted that his party, which is seeking to expand beyond Andhra Pradesh, could explore the possibility of contesting the 2017 Assembly or Municipal elections in Uttar Pradesh.

The venue for the rally, Sanjarpur village in the eastern district of Azamgarh, was also tactically picked. Sanjarpur hit the headlines in 2008 after two young men belonging to this village and alleged to be Indian Mujahideen operatives were killed in a police encounter in Delhi's Batla House. Meanwhile, the administration is also mulling over banning a video clip of Mr. Owaisi's speech in which he targeted Mulayam Singh, Chief Minister Akhilesh Yadav and Urban Development

Minister Azam Khan over the Muzaffarnagar riots. The speech is being widely circulated online. Last year, Mr. Owaisi was denied entry into Aurangabad in Maharashtra to address a public meeting following the alleged hate speech by his brother and MLA Altbaruddin. Azamgarh and neighbouring Mau have been known to be riot prone districts.

At a time when the Muslim population in the State is gradually alienating itself from the SP, fringe Muslim parties like the Quami Ekla Dal and the Rashtriya Ulema Council have also increased the activity in eastern U.P. to fill in the space.

The news was published on February 1, 2014, The Hindu

Question: You are posted as a District Magistrate (DM) of an area which is known for its communal sensitivity. Riots have taken place in the district few months back only and the situation

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is still far from being normal. Many people of a particular religious community who suffered a lot in the riots are stifl Irving in the relief camps. In this background, a political party from another state which claims to represent the riot affected religious minority has sought permission from the DM to hold a rafly in the riot prone areas. Leaders of that political party are known for their provocative speeches and vitiate communal atmosphere. Last year also, the leader who will lead the rally was denied entry into another district to address a public meeting following the alleged hate speech by his colleague from the same political party. The ruling parry of the state is also not in favour of giving the permission but the matter has been left on the discretion of the DM.

The political party has assured the DM that the rally has no intention of disturbing peace and has nothing to do with the upcoming general elections. The focus is on developing awareness and local leadership. The DM is finding it difficult to take a decision for granting the permission. Analyse the situation from different perspectives and explain what action you'll take in such scenario?

This case comes under the following topic

- Ethical dilemma
- justice
- Common good

Answer: The DM is going through an ethical dilemma which has put him into a situation where on one side he has to fulfil his responsibility of maintaining law and order in his district and on other side he has to safeguard the basic fundamental rights given to every individual as well as to any group by our constitution.

The state government is also not in favour of giving the permission which means that indirect, political pressure will be there on the DM to reject the demand. Grant of permission may also hamper the future prospects of the DM in promotions and transfers. However, the DM has to take action on the basis of ethics rather than on the basis of politics. He has to set aside all

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persona! interests and needs to analyse the situation from different perspectives which can lead to an ethically correct decision.

People who'll be effected by the magistrate's decision include the DM himself, political party seeking the permission, whole population of that district, state government and the sodo-cultural environment of the whole country.

In normal circumstances, permission is granted to political parties to conduct rallies for publicity and election campaign. In fact government agencies provide infrastructure and security for the peaceful completion of such gatherings. Such requests cannot be refused as Article 19(1) (a) of the Constitution of India guarantees the right of all citizens 'to freedom of speech and expression' and Article 19(1) fb) guarantees "the right to assemble peaceably without arms".

These rights, however, are not expressed in absolute terms. Rather, they are subject to article 19(2}, which allows the State to make laws imposing 'reasonable restrictions' upon freedom of speech and expression in the interests of 'the sovereignty and integrity of India', 'the security of the State', 'friendly relations with foreign States', 'public order', 'decency or morality' or in relation to 'contempt of court, defamation or incitement to an offence'. It is under the ground of 'public order' that India has prohibited and penalized 'hate speech' ire. speech designed to promote hatred on the basis of race, religion, ethnicity or national origin.

In the given case, the situation in the district is tense and the political party seeking permission for a gathering has history for provocative speeches that promotes hatred on the basis of religion. As mentioned, elections are close and one car assume that the leaders have scheduled their rally in order to take political mileage from the riots which have weakened the position of the ruling party in the state.

Many Limes, rights cannot be the sole consideration in ethical decision-making. In some instances, the social costs or the

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injustice that would result from respecting a right are too great, and accordingly, that right may need to be limited.

Sometimes the rights themselves can come in conflict with each other and one has to decide which right one has priority. Like in this case, Constitution has provided freedom of speech and expression to the political party but it has also provided certain other rights which include Article 14 (Equality before law), 15 (Prohibition of discrimination on grounds of religion, race, caste or place of birth), Article 16 (Equality in matter of public appointments), Article 19 (Protection of certain rights regarding freedom of speech) and Article 21 (Protection of life and liberty) read with the Directive Principles of State Policy. Hate and derogatory speeches made by the elected representatives, political and religious leaders on caste, religion, region and ethnic lines violates these rights given to every citizen of India.

The Supreme Court has also justified the restrictions on free speech imposed by article 19(2) on utilitarian grounds: some restrictions on freedom may be necessary so that others may also enjoy their liberties. Utilitarianism is a moral principle that holds that the morally right course of action in any situation is the one that produces the greatest balance of benefits over harms for everyone affected. As noted by Sastri J in A. K. Gopalan case (1950):

'Man, as a rational being, desires to do many things, but in civil society his desires have to be controlled, regulated and reconciled with the exercise of similar desires by other individuals... Liberty has, therefore, to be limited in order to be effectively possessed.'

As defined in Ram Manohar Lohia case (1960), such public order is necessary for citizens to 'peacefully pursue their normal avocations of life.' As the Supreme Court put it in Praveen Bhai Thogadia (Dr) (2004), the right to Freedom of expression 'may at times have to be subjected to reasonable subordination to social interests, needs and necessities to preserve the very core of democratic fife – preservation of public order and rule of law.'

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If one look at this situation from the point of justice, he'll find that great injustice will fall upon the local people if any kind of violence is triggered because of the rally. It wilt not be fair as the benefits will be taken away by the political party but the burden in the form of physical and mental sufferings will be laid upon the people. The stability of a society depends upon the extent to which the members of that society feel that they are being treated justly. Foundations are laid for social unrest, disturbances, and strife when some of the members of society are made to feel that they are subject to unequal treatment. Thus, giving permission for the rally may hamper social stability of the region.

Maintenance of law and order and an integrated society where all communities live in harmony with each other are certain common good which are beneficial for every member of the society. Being able to live together in a community requires that attention should be paid not just to the individual goods but also to the common conditions that are important to the welfare of all. Thus, any step which may lead to the destruction of a common good shall be avoided by the DM in all circumstances.

Also it will not he virtuous for the DM to risk democratic values like fraternity, integrity, harmony, equality and the life of people which are his responsibility just for the sake of political benefits of one party.

Not only from ethical perspective, but in practical sense also it will be difficult for the DM to divert the limited resources of the district to the gathering called by the political party. As stated, the district has gone through communal riots and the administrative machinery is busy in rehabilitating people who were displaced due to riots. Police machinery may also be busy due to increased surveillance in the region.

Thus, by looking tilings from different perspectives, one can say that it will be better if the DM does not allow the political party to organize the rally. The precedent is also there where permission has been denied to that political outfit by another state.

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However, in order to avoid any controversy, violent confrontation and agitation by the political party, the DM can take following steps:

- The DM must give a detailed reply along with the refusal letter citing different reasons for the denial.
- The DM instead of directly saying 'no' can ask the political party to organic the rally after some time when the situation in the district is settled down.
- The DM may also ask from the leaders of the concerned political party to give a written copy of their speech in advance of the rally along with one affidavit to be submitted in the court. He may scrutinize the speech and then take the final call.
- He must also impose Section 144 to prevent any unlawful gathering.
- Spying around the offices of the political party shall be increased to get any information regarding future actions which may disturb peace in the region.

Promotion of hatred between different classes of citizens, or deliberate, malicious acts intended to outrage the religious feelings of any class by insulting its religion or religious beliefs are crimes which cannot be allowed in any circumstances. Recent history shows that these tendencies constitute a serious danger to the very way of life to which we are pledged under the Constitution.

Hence, it will be ethical for the DM to deny the permission if he finds even a lowest probability of hate speeches given by the political party in his area of jurisdiction.

Case Study *4*

MNS men smash toll booths

A day after Maharashtra Navnirman Sena chief Raj Thackeray called upon his followers not to pay road toll and attack those who demand it, party workers vandalised booths across the State.

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The offensive began on Sunday night, soon after Mr Thackeray's speech at a function En Navi Mumbai, and continued through Monday.

By Monday evening, 104 MN5 workers were arrested on charges of rioting and arson. They attacked booths in and around Mumbai, Navi Mumbai, Pune, Nasik, Aurangabad and Nagpur. Security has been increased outside booths.

Sources in the Home Department say they are examining Mr. Thackeray's speech and have sought Jegai opinion whether they can act against him for provoking violence. "We will act against the instigators/ Deputy Chief Minister Ajil Pawar said.

He said the State could not afford to waive toll and subsidise companies that built the roads. "We are considering keeping single roads toll-free under a new policy."

At the meeting, Mr. Thackeray told supporters: "Don't pay a single rupee as toil. Those who demand it should be smashed. If traffic jams occur, so be it. Until they explain why we are paying toil, we should not pay it."

Tfw flews wrs published on January 28, 2014, the Hindu

Question: An IPS officer has been working as an Assistant Commissioner of Police (ACF) in a major metropolitan city of India. just like most of the cities in India, this place also creates severe traffic: problems for the administration. In order to resolve traffic jams due to large concentration of population and growing business activities, the state government has come up with a PPP Model, in which government uses private sector for investments and expertise. In turn private companies levy toll on the commuters.

However, past few months have seen many protests due to increased road tolls. A state level political party along with local people recently attacked some toll booths which lie under the jurisdiction of the ACP. This has led to some minor level of violence but large destruction of property. People in the city are

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furious over the folk; and public sentiment is in the support of the concerned political party.

Analyse the situation in general and explain what alternative actions are there to take and what action shall be taken by the ACP.

This case comes under the following topics

- Violation of law
- Violation of Fundamental Right
- Justice
- Common good

Answer: The situation represents an ethical dilemma for the ACP in which he has to choose between maintaining law and order situation which is his responsibility and justice by taking action against the guilty. If he takes action against the concerned political party, than it may lead to further protests and violence thus threatening peace in the region. However, if he doesn't take any action, then it will go against the law and will justify violence. A bad precedence will also be set by the government.

The people and organisations which are involved in the situation include administration, political party, private companies and the society at large. Their rights, duties, responsibilities and justice must be taken into account before taking any action.

Such acts of protests and violence as stated in this case at one level exposes the uncertainties involved in collecting toll by private companies, which could potentially harm plans to build an extensive road network based on PPP model. At another level, they highlight public concern over opaque ways of determining road-user charges.

There are many gains from the toll model, it leads to good roads which further leads to:

- increased traffic speed,
- reduced commuting time,

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- saved fuel expenses,
- reduced environmental pollution,
- decreased road accidents,
- encouraged industrial and township development
- Reduction of work load for the administration.

However, in many cases the toll contract itself is unfair because it's based on low traffic projections. Sometimes, instead of government agencies, it is the contractors themselves who carry out the surveys of road use without proper oversight. Second, the government rarely monitors tolling agencies or checks how many vehicles have passed through the toil booth. Many reports like that of Public Accounts Committee and Comptroller and Auditor General have often revealed that the toll operator continued to recover money from road users even though the recovery period had lapsed. In most cases, the toll collected was not used for road maintenance.

Laws violated: As stated in the case, the political party has ted to violence and destruction of property which is not allowed in any book of Jaw in any democratic state. In India also, action can be taken against the political party for unlawful assembly, rioting and deterring public servant from discharging duty. Leaders can be arrested under Section 109 of the Indian Penal Code **(iPQ** which calls for punishment of abetment if the act abetted is committed in consequence and where no express provisions is made for its punishment.

Options available with the ACPt the ACP can take following actions:

1. Not take any action against the political party ihus respecting public sentiment.
2. Book political party under different sections thus abiding by the law and sending a strong message that no one will be spared if he or she breaks the law.

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3. Asking the political party to pay for the damages and issuing a warning of strong action if any such action is repeated by the political party in the future. He can also mention the various details of the causes and remedies of the incident in his report to the Home Department.

Now in order to choose any of the options available, it is important that they shall be analysed from different perspectives by the ACP.

The utilitarian approach which is often used by government in order to reach a satisfying decision suggests that the morally right course of action in any situation is the one that produces the greatest balance of benefits over harms for everyone affected. In this case, if ACP don't take any decision, then in the short run, it will be beneficial for the majority of the people. Political party will get its voters base consolidated and people may get an initial relief from increased road tolls. Administration will be at rest and no action will be required. However, in the long run such inaction may backfire on the administration of that area.

Such inaction will justify the wrong doings done by the concerned political party and will set a wrong precedence in the society. In the future any party can resort to such tactics which will disturb the basic legality of the administrative organisations in the state. Such inaction will also discourage the private companies from further entering into PPP. This will lead to slowing down of infrastructural development thus slowing down the overall progress of the state. It may also affect the developmental processes in other states also. Thus in the long run, not taking any action will affect majority of the people not only in the state but also in the country as well.

However, taking a very strong action may also create unrest among the people. Procedures and rules are made for the welfare of people. Public organisations are required to adapt to the changing needs of the society. Blindly following the law will disturb the peace and the end for which laws have been made will be destroyed.

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Thus, third option seems to be the most appropriate under utilitarianism approach of decision making.

Our constitution has given certain rights to the citizens as well as to the organisations such as Article 19(1) (a) which guarantees the right of all citizens 'to freedom of speech and expression' and Article 19(1) (b) which guarantees "the right to assemble peacefully without arms".

These rights, however, are not expressed in absolute terms. Rather, they are subject to article 19(2), which allows the State to make laws imposing 'reasonable restrictions' upon freedom of speech and expression in the interests of 'the sovereignty and integrity of India', 'the security of the State', 'friendly relations with foreign States', 'public order', 'decency or morality' or in relation to 'contempt of court, defamation or incitement to an offence'. It is under the ground of 'public order' that political parties can be stopped indulging in abetment of aggression against the state.

Article 21 of Indian constitution provides every citizen the right to live a dignified life and choose freely what is good and what is bad for them. It is the responsibility of the state to provide choices to the citizens to take an alternative route if they don't want to pay road tolls.

If one look at this situation from the point of justice, he'll find that injustice will be done to the people of that area as well as political party if strong action is taken against them by the administration. They will face legal action as well as have to pay high rates of road tolls and the benefits will be taken away by the private companies. If no action is taken then the benefits will be taken away by the political party but the burden in the form of physical and financial sufferings will be laid upon the people and also the private companies. Thus third option seems to be the most correct one as violent elements of the society will be warned as well as public sentiments will be taken into consideration.

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Maintenance of law and order and community assets such as roads are certain common goods which are beneficial for every member of the society. Being able to live together in a community requires that attention should be paid not just to the individual goods but also to the common conditions that are important to the welfare of all. Thus, any step which may lead to the destruction of a common good shall be avoided by the ACP in all circumstances.

Also it will not be virtuous for the ACP to risk democratic values like, integrity, peace, and well being of people which are his responsibility just for the sake of political benefits of one party or financial gains of private companies.

Thus, after analysing the situation from different perspectives, the ACP can take following course of action:

Send a notice to the political party, asking them to pay for damaging the toll booths.

Sending a strong warning to people through different communication channels. It is important to make them aware of law and what punishment they can get for breaking them.

Giving his views to the Home and Public Works Department about a more rational policy for determining road tolls.

Making people aware through different mediums like newspapers and radio about various reasons for increasing the toll rates and how these roads are economically viable in the long run.

Case Study 5

A wedding and a funeral

In an India that is fractured along caste lines, a marriage is never the simple establishment of a relationship between two independent, adult individuals. Instead, it can involve not only

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the two families, but whole communities as well. An inter-caste marriage without parental approval is, therefore, a potential trigger for violence in rural India. The caste group that is relatively higher in the social hierarchy sees any such marriage as a social affront, especially if the other caste group is Dalit. The attack on three Dalit colonies in Dharmapuri district of Tamil Nadu, which ended in the burning down of 268 houses, is another shocking instance of how social stigmas engendered by caste identities can provoke large-scale violence. The arson was the immediate fallout of the suicide of a caste Hindu man whose daughter had married a Dalit living in one of the colonies. Apparently unable to accept his daughter's decision to marry a Dalit, the man opted to end his life. For a bride's family, especially if it is higher in the caste ladder, the socially-sanctioned stigma associated with an inter-caste marriage is greater. Women carry a far heavier responsibility of having to protea the "family honour", which is a euphemism for the feudal notions of social status and acceptance held by the senior male members of the family. Indeed, the prevalence of such notions is an indicator of the secondary status accorded to women in these communities.

Worryingly, in rural Tamil Nadu where caste conflicts over marriages, religious rituals or access to public resources are common, the police were slow to sense the potential for trouble. A few days before the violence, the newly wedded couple had approached the police for protection fearing attacks by members of the bride's community. Other than providing assurances and holding out promises, the police seem to have taken no preventive steps. A self-styled court {khap' and caste panchayats, known as katta panchayats in Tamil Nadu) in the village ordered the Dalit man to send his wife back to her parents, but the woman refused to leave her husband. This should have alerted the police to the possibility of trouble. Although the suicide, the immediate trigger for the attack, could not have been predicted or prevented, the police had adequate reason to apprehend the tensions and ample time to take precautionary steps. The only reason that none in the

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Dalit colonies suffered any bodily harm is that all the residents had left their homes and taken shelter in another village. Social stigmas and caste inequalities cannot be wiped out overnight, but surely the law enforcers can show greater anticipation and quicker reflexes in familiar situations that give rise to tensions between caste groups.

*The news was *published on November* 10, *2012, The Hindu*

Question: You have been appointed recently as the District Magistrate (DM) of an area which is known for its communal sensitivity. Just after the appointment, there's a situation which may lead to caste clashes. A 21-year-old upper caste girl eloped to marry a 25-year-old dalit boy last week and now both of them are at police headquarters asking for the protection. A self-styled caste panchayat in the village had earlier ordered the Dalit man to send his wife back to her parents, but the woman has refused to leave her husband. The upper class community is fuming and situation is very tense. Girl's mother has filed a case in court alleging that the girl has been illegally confined and should be produced in court and granted her freedom.

You are appointed by the state home secretary to give a counselling session to the couple. What will be your advice to the couple and what will be your action as a district magistrate.

This case comes under the following topics

- Ethical Dilemma
- Human right
- Justice

Answer: The District Magistrate is facing an ethical dilemma of whether to protect the democratic and human rights of the couple to choose their partner and live freely even if it jeopardised law and order situation in the district or he should try to fulfil his duty to maintain peace In the district even if the rights of the couple

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are breached. The challenge for the DM is to choose between maintaining status quo in the district or upholding constitutional and professional values in a lawful manner.

People who are involved and will be effected by the decision of DM includes the boy, girl, their parents, both the communities and the government.

The two courses of action that DM can lake in this situation **are:**

1. Advice girl and boy to discard the marriage go back to their homes.
2. Support the couple by giving protection and persuading their parents and both communities.

However, choosing one course of action over other may lead to some negative repercussions. Thus, both the options need to he evaluated from different perspectives.

It is not always possible for the government to satisfy everyone as it has to settle down contrasting claims of different sections of society. Utilitarianism is a moral principle often used by the government as it holds that the morally right course of action in any situation is the one that produces the greatest balance of benefits over harms for everyone affected.

If the, girl and boy go back to their home, peace will be restored. Community for the time sake will be benefitted and the couple has to sacrifice their love. But such action will further concretise caste system and discrimination based on it in the society. Conformity and group decision making will be enhanced. Stagnation of society will take place as such actions will hinder progress and development. Wrong precedent wilt be set. Image of government will be affected as it will appear that government also does not support inter- caste marriages. Such incidents will keep on repeating thus permanent solution is required. Thus, in the short run, discarding the marriage will be beneficial for the

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majority of the people but in the long run, it will be harmful for the whole community.

The DM also has to take into account human rights which have been provided by the constitution and other legislations to people involved in the situation.

The caste system has no legality in India. Article 15 of Indian Constitution, as enacted in 1950, prohibits any discrimination based on caste. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, was passed in India in 1989. The objective of this act is to prevent the commission of offences of atrocities against the members of Scheduled Castes and Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offenses. The basic idea is to provide a mechanism to deliver justice to these communities through proactive efforts to enable them to live in society with dignity and self-esteem and without fear or violence or suppression from the dominant castes.

The government has also created National Commission for Scheduled Castes to investigate, monitor, advice, and evaluate the socioeconomic progress of the Scheduled Castes in India.

Article 16 of Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948 states that all adult men and women have the right to enter into marriage. They have the right to freely choose a spouse and to enter into marriage only with their free and full consent.

The Supreme Court in Lata Singh v. state of Uttar Pradesh, AIR 2006 SC 2522 viewed the right to marry as a component of Right to Life under Art 21 of Endian Constitution. The court observed that:

"This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste marriage the maximum they can do is that they can cut off social

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relations with the son or daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste marriage".

One more component of Right to Life under Art 21 of Indian Constitution is the right of people to Jive in a safe and peaceful environment. If cast clashes are there among the two communities than it will surely endanger the lifie of many people.

Thus, every person has the right of self determination and right to get protection from the state. It is the obligation of the state to respect and protect the rights given to every member involved in the situation.

If the DM looks from the perspective of justice, he will find that great injustice wib be done to the couple if they are asked to discard the marriage. The apparent benefits of nullifying the marriage will be enjoyed by the communities but burden will be on the couple only. Dignity of ihe couple will be disrespected. This may disturb social stability in the long run as public institutions will not be regarded as just and fair.

Further, it will not be virtuous for the DM to advice the couple to discard the marriage. He would not want his organisation to become such an entity which supports wrong demands of communities and do not honour individual rights. Democratic values such as liberty, equality and non-discrimination shall always be the ideals of a public servant while serving a democratic society.

A just legal and political system and a well integrated and democratic society are certain common goods that are equally to everyone's advantage. These are certain general conditions that are shared and beneficial for all for most} members of a given community. A society where people accept modest sacrifices for a common good is always more desirable than a contentious society where groups selfishly protect their own benefits. Both of them will be disturbed if the couple is asked to get separated. However, there is also a danger of chaos and violence which may be harmful for everyone.

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Thus, all the perspectives judge in favour of supporting the couple even though there is a certain level of risk of loss of lives and law and order violation. Now it will be on the ability to use the resources and the tactfulness of the DM that the outcome will depend upon. He should advise the couple to respect and standby their decision while assuring that this does not trigger violence and riots in the district.

He can take following steps:

1. First investigate the case registered by the mother of that girl by confirming from the girl that she's doing everything at her own initiative and no external pressure is there on her from the boy. The couple shall be presented before the court along with their age certificates and their statement shall be recorded thus nullifying the case against them.

2. Police protection shall be provided to the couple. Strong action must be taken against the members of caste panchayat under different Acts so that it discourages people to follow their verdict.

3. Organise a meeting of the leaders of groups, parents of girl and boy and the couple with DM acting as the mediator. Here one can use the different techniques of persuasion like telling them about the benefits of unity and integrity among different communities, punishment they can get if they go against the marriage or harm the couple.

Peace meeting can be conducted between the Caste Hindus and Dalits from the affected colonies during the course of next few months for a long-lasting solution to the communal dash.

4. Increase police strength and police informers in the villages of two communities for the time being.

Thus both short and long term measures are needed to neutralize the situation and if applied properly will help in setting the right precedent for the next generation.

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Cose Study 6

Healing A Tradition

A low-tech online network connects traditional healers and patients in Bhopal Baiga tribals have in-depth knowledge of herbal healing, says Vijay Chatirasia. "In fact, I learnt a treatment for asthma from a Saiga healer and have successfully treated hundreds of patients using the nuskha (indigenous remedy)." Coming from an allopathic physician, the statement means nothing but hard facts about traditional healing. Chaurasia, who runs a private clinic in Gadasarai village in Dindori district of Madhya Pradesh, says, "I used to wonder why very few Baiga people come to my clinic for treatment. I realised the reason after a Baiga healer cured my wife's asthma."

Healing traditions of indigenous people have always been a thorny subject—many of their methods do not conform to modern science, there is no standardisation, and recognition is a messy affair In the last week of September, some 50 traditional healers gathered at a meet organised by C G Net Swara, a citizens' journalism initiative, in Bhopal to deliberate these issues. But, most importantly, they celebrated the authenticity of their art and its continued relevance in modern times. They also formed an online network, Swasthya Swara. Its aim is to share the traditional healing knowledge and bring scientific recognition to their art.

Science in traditional wisdom

This is not an easy endeavour. Traditional healing is fraught with possibilities, says Surya Bali, head of the telemedicine department at the Ail india Institute of Medical Sciences, Bhopal. But it is difficult to make out what exactly Is useful.

A lot of people term healers' activities like going into a trance or claiming to be possessed by deities as useless antics, but sometimes these are crucial for building trust between the

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healer and the community. On the other hand, the veracity of actual healing practices can be doubtful. Bali, who is born to a traditional healer in Uttar Pradesh, recounts that his father used to prescribe the juice of a leaf growing nearby his house for treating jaundice. The remedy was known for its effectiveness in the area. "But as a medical student, I learnt that jaundice is a viral disease that heals on its own. Since then I have wondered if my father's remedy was authentic/ Bali suggests that separating the wheat from the chaff by backing information with scientific evidence and systematic documentation will help the healers' science get the recognition it deserves.

But this is easier said than done. "Methods of traditional healing do not always conform to mainstream science," points out A K Arun, homoeopath and public-health expert from Delhi who was present at the meet. A herb or a concoction can be effective in treating a particular disease in actual experience, but chemical examination of the constituents may not throw up corresponding results, explains Arun, also the chief editor of health journal, The Heritage.

Traditional healers at the meet agree with Arun. "It is not easy to quantify the exact medical properties of a herb in the way satisfactory to conventional science," says Anantram Shrimali, an elderly vaidya from Sagar, Madhya Pradesh. "Our science says properties of herbs change with the environment. A herb will have different healing properties depending on whether it grows on dry land or in a marsh, or the kind of vegetation it is surrounded with. Its effectiveness gets significantly impacted if it is cultivated rather than collected from the wild," Shrimali says. So, standardisation along the lines of modern science may lead to confusion and loss of valuable knowledge, he cautions.

Arun points out another disadvantage of trying to live up to scientific standards. It requires following protocols like clinical trials, which are expensive and beyond the reach of healers. Bali offers a solution: healing need not always be molecules-centric.

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Proper records and testimonies of patients who benefited from the treatment can also serve as scientific evidence, he says.

Traditional healers agree with such general idea of scientific standardisation, but advise caution. "Our art by its very nature is highly individual and localised/ says Ashish Ratre, vaidya from Janjgir-Champa district in Chhattisgarh, who learnt the heaier's art while trying to cure herself of a skin disease. "There are different cures for the same disease, which may vary depending on local conditions, factors responsible for the disease and availability of herbs/ he informs.

it must be realised that the efficacy of our cures depends on social and environmental factors, including community dynamics, says Beer Singh Padda, tribal healer from Kanker district in Chhattisgarh. "Hence, a balance will have to be found between this variability and scientific standardisation."

Whether Swasthya Swara will be able to achieve this balance is yet to be seen, but it is garnering interest from traditional healers as well as people.

Swasthya Swara holds out hope

Shubhranshu Choudhuri, veteran journalist who heads C G Net Swara, says the idea behind Swaslhya Swara is to make the information on traditional healing accessible to people, especially rural communities. "Despite government efforts to provide modem health care, a large setlion of the rural mass still trusts and depends on these healers for first-line health care/ he says. The network would help strengthen this traditiosi.

The process for connecting with the network is simple. All it requires is a cellular phone, which is nearly ubiquitous in the country. One has to give a missed call or Swasthya Swara's phone number—08602008111. Moderators of the network will then call back on the number and record the patient's query. A traditional healer car share his remedy in a similar manner. The committee of

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moderators, which constitutes medical practitioners and traditional healers, ensures that if there is a remedy available for an ailment, the patient gets to know about it.

Those who have access to the Internet can listen to the audio recordings by subscribing to Swasthya Swara's website swasthya, swaranetwork.org/. AEl recordings are being stored online through an arrangement with Google. The forum thus serves as an informal documentation tool, informs Choudhuri. He claims that in one month, the network received 1,000 posts. A vaidya received 35 calls for a remedy he had posted.

"We healers are rarely atf-rounders. While one has the expertise in treating asthma, another can treat only digestive or rheumatic ailments. It is thus helping us learn from each other and expand our repertoire of skills/ says Jahaar Singh from Tikamgadh district of Madhy Pradesh, who has shared a series of remedies for reproductive problems on Swasthya Swara.

"The forum will help boost the morale of healers/ says Harisingh Sihar from village Nanjura in Kondagaon district of Chhattisgarh. Choudhuri says the meet would be followed by networking activities to rope in more traditional healers. "We will upgrade the software based or the specific needs of this forum/ he says, adding that University of Washington has shown interest in providing technical support for upgradaion.

The news was published* Ort *31st Dei 2013,* Dtfrtrt 7\> *Earth

Question: You have been appointed as the District Collector (DO of a district in Uttarakhand which is known for its ethnomedicinal plants used by indigenous traditional healers for curing different medical conditions. The state Ministry of Health has recently passed a circular to promote these traditional healing practices as allopathic treatment through government organisations which has still a limited penetration in the state.

However, you recently have been informed by the police division of your district about many cases in which patients have

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been cheated by some self- proclaimed traditional healers leading to their health and financial loses. This has led to poor credibility and trustworthiness among people for herbs based medical treatment.

Premise: Explain the situational dilemma for the Collector and suggest some measures (initiatives) you will take so that such traditional practices gets more societal approval and thus more utility is generated through it?

This case comes under the following topic

- Situational Dilemma

Answer: The Collector is apparently in a conflicting situation as at one end, he has to fulfil the task assigned to him by the Ministry of Health and on the other hand he has to take action against Quacks that are cheating people in the name of traditional medicine.

Curing people through traditional healing practices has always been a tricky subject as many of these methods do not conform to modern science, there is no standardisation, and recognition is a messy affair. Methods of traditional healing do not always conform to mainstream science as it requires following protocols like clinical trials, which are expensive and beyond the reach of healers.

it should be realized that health and disease have been important components of society ever since Homo sapiens started living in communities; therefore, along with the day-to-day needs of food, water, shelter and security, every community has developed its own ways of handling illness. Hence, priests had a dual role of being healers in the early civilizations besides their primary role of being a priest. In fact, the difference never probably existed then. As man became more sophisticated, the way illnesses were looked at and treated changed; there is a vast spectra in the kind of people who deal with treatment of illnesses, from the Occult Priest-Healer to the modern Doctor.

Many times, healers' activities like going into a trance or claiming to be possessed by deities seems useless and promote

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superstitions but sometimes these are crucial for building trust between the healer and the community. However, such things make it really difficult to differentiate quacks from healers with authentic knowledge.

In areas where allopathic treatment has limited availability, there are 'Traditional Healers' who have inherited the position in their respective communities as the de facto 'Doctors'. The knowledge that these (usually) people have gained is something that has been refined over generations. It is observed at times that these Traditional Healers have succeeded where modern Medicine has failed.

However, there are many unqualified people who take advantage of the situation where people have limited knowledge and few resources. These unqualified people or quacks largely represent an amalgamation of traditional medicine and modern medicine, which unfortunately is an unhealthy trend. These quacks are a bane to the communities they exist in and hence they need to be controlled through strict action.

Thus, in order to curb fraudulent activities and promote traditional medicine, a multi pronged strategy is required:

1. Increasing awareness and persuading people
2. Standardisation and recognition of healing practices

- Strict action against Quackery

Case Study 7

'You are crossing your limits/ Delhi ACP tells AAP minister Somnath Bharti

There was chaos in Khirki Extension after Delhi's law minister, Somnath Bharti, arrived with a group of men to "bust" what he claimed was a prostitution and drugs racket, allegedly run by Nigerian nationals staying in the area.

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Ailing on a complaint received from local residents, Bharti, who is also the MLA from the adjoining Malviya Nagar constituency, reached the spot around 11.30pm, responding to complaints of the drug and sex racket being allegedly run from a lane near the Sai Baba temple in the area.

"We had asked the law minister to intervene following which he had come to see the problem for himself. There were certain activities he found to be suspicious and informed the police," said a resident, Arif. Other locals said they had informed senior police officers about the racket earlier as well.

Locals claimed that Bharti and his volunteers asked them to identify the houses. Some of the locals then grabbed two persons, including a woman, alleging they were from the prostitution ring and brought them to the minister. Bharti had called up the media, PCR vans and local police by then.

When the cops arrived, Bharti asked them to arrest the two. The police first refused since they had no evidence against them. This infuriated the minister. He complained that the MaSviya Nagar 5HO, Vijay Pal, who had come to the spot, had returned without taking any action. '"There was a building full of girls. We called the police. First they took a long time to come and then left after refusing to raid the premises. They are not listening to me, the law minister."

"We told the SHO and the policemen to arrest them but they did not pay any heed to us. They told us that they cannot conduct a raid. Then I asked for the reason. We called the DCP and the commissioner but they didn't answer our call. Despite our best efforts, the police did not make any search or arrest in the case," Bharti claimed.

The minister then entered into an argument with ACP Bharat Singh Jakhad. "You go In and raid," he was seen ordering the policeman, who kepi saying, 'You are not allowing us to work. Let us do our job.' The rattled ACP was then seen wagging his

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finger at Bharti and saying: "Mr Minister, you are crossing your timits.'[1] Bharti retorted: "You should be ashamed of yourself. Doob mam paani me. Will a minister come and protect these people?"

The cops finally agreed to take four of them to AHMS and conduct a medical test around 6am. They were later let off as no psychotropic drugs were found on them.

*** The news was *published on jan 17, 2014, TNhi***

Question: You have been working as an Assistant Commissioner of Police (ACP) in Delhi. Since last few months, you have been receiving many complaints regarding drugs selling and prostitution in a particular area which comes under your jurisdiction. These illegal acts as alleged are done by some foreign nationals residing in India on employment visa basis. But you are not able to take any strict action as strong evidence is not available against the culprits.

One day, in the evening while visiting that area you are suddenly surrounded by the local people along with the MLA of that constituency. The MLA asks you to immediately raid a house which has been alleged as a den for prostitution and drug dealings and arrest women hiding there. But the law doesn't allow you to take action against women after the sunset.

Analyse the situation and explain what action you will take under such circumstances?

Answer: The Assistant Commissioner of Police (ACP} is clearly under the classic dilemma of choosing between goodness of means and goodness of ends i.e. either he should follow the procedures as mentioned in rule books even if it leads to escape of culprits or he should take action which may lead to punishing the law violators but is not in congruence with the established procedures.

People and individuals who are involved and will be affected by the decision of the ACP include the foreign nationals, MLA, local people of the constituency and the society at large.

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Our Constitution, IPC and CrPc has many provisions regarding search and arrest procedures. The most basic provision relating to arrest has been incorporated in the Article 21 of the Constitution. It lays down that no person can be deprived of his/her right to liberty, except in accordance with procedure established by law. Other provisions are:

- No women can be arrested without registering the FIR and she cannot be called to the police station for interrogation under Section 160 of the Criminal Procedure Code.
- A woman cannot be arrested before sunrise Or after sunset except with prior permission of a magistrate. Also, a woman can only be taken into custody in presence of a woman police officer as far as practicable and the arrest must be effected with proper dignity.
- New sexuaE assault laws brought in Section 166 A of CrPc relating to a public servant disobeying direction under the law has further strengthened police accountability to the court of law.
- It wifi also be unlawful on the part of ACP if he raids the house without search warrant under Section 97 of CrPc.

Delhi Police comes directly under the control of Union Home Ministry as The Constitution (69th Amendment Bill}, introduced in Parliament in December 1991, granted only partial statehood to Delhi. Entries 1, 2 and 1B of the State List of Seventh Schedule, which deal with public order, police and land, continued to be under the Central government. Therefore, il is not mandatory for the ACP to obey the commands of MLA or other ministers of state government.

Since foreign nationals are involved, the ACP must also take into account the various protocols issued by Ministry of Home Affairs and Ministry of Foreign Affairs and conventions which India has signed at international level regarding the cases pertaining to prostitution and human trafficking.

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An advisory issued by the Ministry of Home Affaire on May 1, 2012 on 'preventing and combating human trafficking in India-dealing with foreign nationals' clearly states, that unless police investigation has established prostitution, no arrest & no medical examination are permissible by law. The police must also contact the embassy of the foreign nationals concerned.

Thus, under such delicate circumstances, the ACP has to judge both the options (taking action or following the procedure) available to him from different perspectives.

Clearly, the laws and procedures are not in favour of taking action at that point of time. Raiding the house and arresting the women will not only violate the laws but it will also violate the basic human rights given to every person irrespective of his or her nationality.

Great injustice will be done to the alleged women if acquisitions made by the MLA and local people are proved wrong. The benefits of the action if proved right will be distributed among all the members of the community but the burden will fall only upon the arrested foreign nationals if the action is proved wrong in the court of law.

Also it will not be virtuous for the ACP to take action against women at that time as it may lead to the harassment of the accused. This action will certainly not help the ACP to become the kind of person who he wants to become. Equality, respect for human rights and women's dignity, honestly following the Constitution and other laws are some of the virtues that every police officer must aim for.

The action may also lead to criticism of India at international level. It may affect the bilateral relations of India with those countries whose nationals are accused in this case. This will deteriorate the picture of India as a country which welcome and treat every person equally irrespective of his or her nationality. Foreign nationals residing in other parts of Delhi and other states may also not feel safe due to prejudiced action of police and local people.

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These different perspectives lead to a conclusion that it will not be right for the ACP to take action at that point of time. However, not taking action against the culprits may also lead to dissatisfaction and anger among the local people. This may also reduce the respect and trust among the people for the police. Right of people to get a peaceful and good environment to live is also violated. It is also possible that the people may themselves attack the house under the leadership of the MLA. Hence, not taking action can lead to chaos and destruction of law and order. Since, he had received complaints regarding prostitution and drug dealings earlier also; he may also lose a chance to get strong evidence against the culprits.

Thus, the ACP has to take a wise decision in order to neutralise the situation and reach the right conclusion. He should take following steps:

1. He should take MLA and local people in confidence and tell them about various laws which stop him to raid the house. He can also ask them to write their complains and submit them to the nearby police station. He should assure them that he will search the house in the morning after obtaining search warrants and will arrest if someone found guilty.

2. He can also ask for people cooperation and help in gathering evidence by doing sting operations and recording illegal activities on camera.

3. Even though he cannot search the house, yet he can ask the foreign nationals to verify their passports by submitting a photocopy.

4. He can post two constables outside the house, so that any person coming out can be investigated.

Based on the written complaints and investigation of accused people, the ACP can take an appropriate action which will lead to restoration of peace and law and order in the concerned area.

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Case Study 8

A Definite Role for PMRD Fellow

The controversy surrounding the questioning of a Prime Minister's Rural Development Fellow (PMRDF) in Maharashtra for alleged Naxal links, followed by Union Rural Development Minister jalram Ramesh's letter to the Maharashtra Chief Minister defending the Fellow, has brought the focus back on this ambitious one-year-old scheme.

The PMRDF, announced in September 2011, inducted its first batch of Fellows in Aprii 2012, who completed one year recently. The programme aims at inducting young professionals for short durations at the district administration level in Left Wing Extremism fLWE) affected areas to assist in improving programme delivery and also serving as an Interface between the administration and marginalised sections. There are, on an average, two Fellows posted in 82 districts spread across nine states — the maximum being in Jharkhand and Odisha. Recruitment for a fresh batch, according to ministry officials, is set to begin anytime now.

The overall implementation experience of the programme over the last one year has been the proverbial mixed bag. Perhaps the biggest indicator of the relative success of this scheme has been the very low attrition level, surprising even ministry officials. Of the total 150 fellows inducted last year, only seven dropped out — a less than 5 per cent drop-out rate. This, despite the youngsters being placed in fairly difficult conflict areas.

The fellows say that they learnt immensely by being part of the programme, while contributing to policy and implementation work at the district level. They have also found an outlet for sharing their experiences with the PMRDF blog being updated regularly with posts from fellows.

"The programme has changed my perspective completely towards several issues and the government. I have been involved

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in the implementation and design of National Rural Livelihoods Mission and have worked closely on youth-livelihood issues," said Priyanka Yadav, 26, posted at Kanker district, Chhattisgarh.

Vamsi Krishna, a post graduate from Tata Institute of Social Sciences, had similar views. "There are broadly two mandates. One is working in research and evaluation projects at the state government-level and the other is district specific. I am working on looking at sustainable livelihood opportunities in IAP districts and am satisfied with my experience," said Krishna, who is posted at Karimragar in Andhra Pradesh.

However, this is one side of the story. The programme has had its share of teething problems, many of which the ministry is now trying to address.

The Bottlenecks

To begin with, there has been considerable confusion about the exact role of the Fellows and where they fit in the established structure of the district administration. Moreover, the absence of a clear-cut institutionalised structure has meant transitional problems and instability with any change of guard in the district.

PMRDF Fellows, who are paid Rs 75,000 per month with a TO per cent hike in subsequent years, have to report directly to district collectors.

"We have had a mixed response to the programme. In some districts, the administration is very supportive, especially when there are young, tech-savvy DCs. However, since DCs assign work to the Fellows, there is often a problem when the Collector changes and a new person comes In. We are trying to give the scheme a definite structure, which will help solve transitional problems," said a ministry official. 'There are also other problems like youngsters being new to the system, being placed in remote areas, not having clear cut roles, and having to work with district level functionaries who may not be used to this sort of system," he added.

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To address this, the ministry issued fresh guidelines in June defining Fellows as 'development facilitators', thereby giving them a definite identity. "There was a major identity crisis for Fellows about whether they are researchers or assistants to DCs. Now they have a definite designation," said another official.

Yet another senior ministry functionary pointed out how in some districts the presence of Fellows was being misused. According to him, in one state, five Fellows were working in the Chief Secretary's office, merely assisting him, instead of playing their role on the ground.

In order to tide over the concern of instability in Fellows' work with any change in the administration and also to standardise work, the ministry has decided to give them a defined work area. PMRDF will now be linked with NRLM wherein these young professionals will work on livelihood issues.

"The DCs change often. Almost 70 per cent of the key functionaries in my district have been transferred in the last one year. This creates some problems," said a Fellow.

Some other Fellows pointed towards lack of clarity on exact position, ambiguously defined roles, and no concrete structure as being key problems. "We are not a part of the hierarchy and this often confuses the DC. There is no specific structure at the district level. Our role should be concretised at the district level and put in writing. There should be some sort of a sub-contract with the district," said another Fellow, adding that there should be a "sensitisation process" about the programme for DCs.

Meanwhile, while the programme was originally for two years, extended by another year, the new guidelines make it a three-year programme that cannot be extended. However, retaining Fellows for three years may be challenging. Both Krishna and Yadav said that they were not sure if they'd continue beyond two years since they would have gained significant experience by then. The challenge

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becomes greater given Fellows are professionals who may have left attractive jobs to gain on-ground experience.

Aditya Tyagi, a JNU post-graduate and a consultant by profession, however, said that he wanted to continue for three years. Tyagi, who is posted at jamui in Bihar, has been working on two areas — initiating educational and livelihood programmes as well as working on identifying crops that can withstand droughts but with high commercial value.

******This article* was *published in 'The Hindu'* on *2nd July, 2013.***

Question: What according to you can be the improvements so as to make the PMRDF more effective?

One another aspect that comes out is, do you think that considering the bottlenecks, this programme could be dropped altogether?

This case comes under the following topic

- Work Culture

Answer: The suggested improvements making the PMRDF more effective are:

Institutionalize that Position: With proper guidelines, a fixed role and a two-way training module – for the PMRDF as well as the District Officials including the DMs/DCs – so that the post has certain defined duties to be fulfilled.

A Proper Appraisal: With a clear defined role, a proper appraisal mechanism can be established which apart from inter-grading between other PMRDF will also act as a great incentive for them to perform.

Proper Human Resource Utilization: It is the worst strategy to lose a trained staff that has learnt the ethos and style of a working organization (read District Administration here); so it will be of immense benefit providing for a win-win situation if the candidate having undergone training as PMRDF to be inculcated into the

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State's machinery – if he/she would like to – after making them take an exam – most preferably interview type – where they are asked question about their understanding of the projects that they have been part of. The salary structure also should be respectable considering that they had been professional.

As far as the second part of the question is concerned; the PMRDF is a good initiative and a creative innovation at managing the District machinery – the most vulnerable district as far as the governance is concerned – where the Youth of India gets an opportunity to learn the limitations and opportunities of commanding a State.

How to bring in a palpable change in perception about the role and work of State and what can be novel ways by which the governed feel as part of the government?

How to make more than equitable distribution (read reverse discrimination) for those that needs more than what is given by the State [read the most vulnerable who are most prone to turn into extremist)?

Being in the grooves to find out the correct answers for the aforesaid questions with the added knowledge of creating rightful engagement – livelihood – for the vulnerable section so that they get to become part of the mainstream society can only be better appreciated by a person who has left his/her settled professional life and got into this. So, appreciating the ideologically inclined puritanical sense of their feeling to serve; the PMRDF is always an asset for the State and so rather than dropping, this must be reinvigorated in all the districts of country.

Case Study 9

New Parameters to Rate UP Cops

Police stations in the six districts of Meerut range, including Gautam Budh Nagar and Ghaziabad, will from now on be under

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the scanner of senior cops and judged on the parameters of crime prevention, speed in solving cases, behaviour and interaction with the general public, among others. The step has been taken after increasing complaints about laxity of the police in maintaining law and order.

Senior officers said that cops who perform badly will be shunted out from their postings. However, UP Police sources said that the proposal to shunt poor performers will prove to be an uphill task as postings in Noida are generally based on political allegiances. Sources added that this order is just eyewash and an attempt to showcase to the public that steps are being taken for improving law and order by the Samajwadi Party, which is already facing charges of high crime during its tenure.

DIG (Meerut range) K Satyanarayan said the process has been implemented in six districts of Meerut range, including Gautam Budh Nagar, Ghaziabad, Meerut and Bulandshahr.

When asked about the basic idea behind the grading system, Satyanarayan said that this will help in increasing competitiveness among policemen. If policemen don't perform, even though we cannot directly transfer them to other places, we can mark an adverse entry in their service books or even **recommend** suspension from the job, Satyanarayan said.

This news was published in 'The Times of India' on 3th July, 2013.

Question: Can this order be successfully implemented within the political scenario that is prevalent?

This case comes under the following topics

- Challenges of Corruption
- Quality of Service Delivery
- Code of Conduct & Code of Ethics

Answer: Before answering this question, it is but pertinent to ask that is there any "objective" methodology with proper

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carrot-stick model developed for this grading system or will it be dependent upon the whims and fancies of the superior. Anything based on the principle of utter discretion is not worthy of being implemented in an organization which is already facing the brunt of nepotism and naked partyism. The overt politicization coupled with the excessive usage of caste based groupism can make this otherwise nice initiative into another quagmire of corruption.

Rather, a more objective manner of incentivizing the civil force would do where every parameters of Keeping law and order; and Impartial investigation is given proper weightage for this appraisal. Sound policing where every official – junior or senior – should feel that he/she is working under law should be promoted. This can only inculcate the ethos of fearless policing which is so much required today. A set norm for fixing accountability and making the whole force transparent should also be promoted.

Case Study JO

Lanka may put aside India view on 13th Amendment

Putting aside India's concerns, Srr Lanka may go ahead with its plans to change the 13th Amendment, a top Lankan minister hinted. The move comes ahead of the Northern Provincial Council polls in September where the Tamil National Alliance stands a good chance to win.

As per the amendment that followed the Indo-Sri Lanka Accord of July 1987, the Sri Lanka government had agreed to devolve some authority to its provinces. Economic development minister and younger brother of President Mahinda Rajapaksa, Basil Rajapaksa, was non-committal on any conditions that New Delhi might have pushed for. "When we bring in a Bill we wouldn't normally retract. We will go back only if the people wanted us to go back," he said. India has stressed the need to implement the constitutional provision on devolution of powers to provinces without dilution and to go beyond it to ensure meaningful development.

Raz Kr

This new ivrfi published in 'The Indian Express' on 8th July, 2013.

Question: Does India have the mandate to stress upon the Sri Lankan authority to reconsider their Constitutional amendment? And added to it – What you have to say about the stance taken by the Sri Lankan Government?

This case comes tinder the following topics

- Ethical issues in International Relations and Funding
- Persuasion

Answer: India being the joint signatory to the Indo-Sri Lanka peace accord has the Jegal mandate to strongly suggest – and not coax – the provisions provided for in that accord. Having participated in the joint operation with the Sri Lankan government to cull the radical Tamil separatist forces – LTTE and others – India has all the rights to diplomatically stress upon things mentioned in that bilateral agreement. Apart from this it afso has moral obligation to strongly suggest to Sri Lanka cm issue that is related to ethnic Tamils rooted in India.

Having said this, it Is but important that more than a strong suggestion, we cannot pressurize the Lankan government to work upon something that can question their Sovereign right to govern their nation. With the fall of the LTTE and new political era of "mainstreaming" the North Eastern part and Jaffna area into the mainland Sri Lanka – the government there is aware of doing the thing that are for their best and most sustainable benefit. We as a 'foreign' entity should not vex the Lankan authority or this. Moreover, in that peace accord, it is also mentioned in rule 2.10 that "maintaining same organization and mechanism at promoting the unitary stance" without creating more parallel institutions.

Sri Lankan government has already said that they interpret what India is saying to them in the context that more Constitutional devolution sans dilution is called for and based on this the Lankan government is right in its stance.

Raz Kr

Further taking the footnote of the principles of respecting Sovereignty India should also not go for diluting her relation with Sri Lankan government even if they do not get with India on this. This also is within the pragmatist approach of the India's foreign policy.

India should rather make the Sri Lankan government realize the vulnerabilities of those internally displaced people – the Tamil refugees post war on LTTE – and the fear of them again regrouping into extremist and radical forces. It is good that the Lankan government has now got the opportunity to negotiate from an upper hand so they must show the benevolence of a "big brother".

In ethical context, it is also important to understand and appreciate the ground realities between the two parties aggressively negotiating on a particular fact. This becomes all the more important when we take this fact into consideration that in international domain rather in international relations most of the times, legal mandate converges with the ethical and moral mandate. Making suggestions for the long term sustainability of relation between two parties both looking at a third party as their neutral arbitrator is acceptable – morally as well as practically – but prodding is certainly not. Moving with this proposition, the aforesaid case talks about instance where India must maintain its neutrality as an arbitrator. In this neutrality only lies the ethical strategy.

Case Study 71

Mid Day Meal Tragedy

Recently, a tragedy happened in the Saran District of Bihar. More than 20 students of a government school died after consuming Mid-Day Meal, around 50 fell seriously ill and are battling for the life. The incident throws a series of questions relating to implementation structures of such central schemes, role of local bodies and block level functionaries, rural health infrastructure, mechanisms of coordination with district authorities, etc. In this

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context, it becomes imperative to examine the mechanism of accountability and whole distribution chain regarding Mid-Day Meal scheme.

Question: What is your view about existing implementation mechanism of Mid Day Meal Scheme? Discuss in the light of recent tragedy and give suggestions for improvement, if required according to you.

This case comes under the following topics

- Ethical Governance
- Work Culture
- Accountability
- Utilization of Public Fund
- Compassion towards Weaker Sections
- Regulations

Answer: In India, on the one hand, we have huge buildings, roads, cars, shopping malls and other such amenities, while on the other, people are fighting for the baste minimum needs. Amid such paradox, what is required is to bridge the gap between 'two India', by empowering the downtrodden, in order to achieve the dream of 'inclusive growth'. Incidents like Bihar tragedy pose a serious threat to this ambitious aspiration, by shaking the faith of citizens in the governance.

Mid-Day Meal Scheme is a Centrally Sponsored scheme started by the Ministry of Human Resource with two fold objectives; First, to increase enrollment ratio and second, to tackle the problem of hunger and malnutrition. Under the scheme, free lunch is provided to the students of government school on working days. At present, the wholesalers lift food grain from FCI godown. From the wholesalers' godown, food grain is lifted by the Fair Price Shop dealer, who transports the same to the doorsteps of the schools. The transportation cost is shared by the wholesalers and the Fair Price Shop dealer at the proportion of 25:75.

Raz Kr

The present system hardly has any accountability mechanism. The biggest problem is that who should be held accountable? Also the system doesn't define the role of NGO in the implementation. Such incidents vitiate the core values, of welfare and equity, on which the governance is carried out. It can have wide ranging impacts including a sharp decline in school enrollment as people would be reluctant to send their children to school. It could also undermine the credibility of the government in carrying out its functions effectively.

The bottom line is existing structure of implementation suffers from a lot of bottlenecks which are needed to be resolved. A few suggestions in this regard are as follows:

a) The whole distribution chain should be made accountable at each level through involvement of Block Development Officer at block level and District Collector at District Level.

b) Adoption of Public-Private Partnership model for effective implementation of project. One such model known as 'Akshay Patra' is implemented by Karnataka Government.

c) Introduction of trained cooks for preparation of meals. Experiences suggest that, in the lack of manpower, the schools, quite often, employed untrained peoples and sometimes even teachers, for preparation of meals.

d) Strengthening of Primary Health Care centers by making them equipped with modern medical tools to deal with such problems, if arises.

e) Making the ISO certification mandatory for ensuring the quality of foods.

f) Involvement of NGOs and local bodies in the implementation chain.

g) Promoting training and capacity building for ASHA workers to create awareness about hygiene standards among school authorities as well as students.

Raz Kr

h) There is a need to establish a coordination mechanism with district authorities for regular monitoring and for their effective contribution in case of such problems.

i) Active involvement of the Mother's committee, committee of Parents to monitor and distribute food, should be ensured.

j) There is a provision of Steering cum Monitoring Committee (SMCs), but they meet occasionally in most of the states. Such a practice and work culture should be improved in order to ensure effective monitoring.

k) Using mobile tracking system for ensuring accountability in Mid Day Meal distribution chain.

l) Experiences have shown that fund allocated for the scheme doesn't find its full utilization. A part of funds allocated should be utilized in creation of warehouses, shades in kitchen and other such infrastructures which promote hygiene.

Apart from all this, there is a need to regain the faith which is often lost due to such tragedies. This requires an effective PR campaign which would impart a sense of belongingness to the people. The 'Mass Contact Programme' by Kerala Government, which has won UN Prize, is a good initiative towards this direction. Under the programme, CM visits to each and every village and people are asked to put the problems.

The gist is, building of trust requires a long time. The government needs to adopt above measures with immediate effect so that it would impart positive sentiments towards the rural population. This is the only way to restore their faith in the system and to realise the dream of 'Sakshar Bharat'.

Case Study *12*

India said no to Russia Help Offer, Wary of Foreign Role

Within days of flash flood in Uttarakhand, a plane with 150 well-equipped Russian rescue workers was on standby in Moscow to carry out search and rescue missions in the state.

Raz Kr

The Russian Emergency Situation Ministry chief, Vladimir Andreyevich Puchkov, had on June 21 offered help to India. But, New Delhi sat over the proposal for a week and then declined the offer on June 28 stating that the rescue operations were almost over.

The Russian team has carried out over 70 operations in Russia and 17 international missions, including in China earthquake and the tsunami in Indonesia. It takes pride in their reputation of "saving a life every 12 minutes".

Puchkov in a letter to Home Minister Sushil Kumar Shinde had proposed assistance by their elite rescue teams, ready to reach India "within a matter of few hours". Puchkov's offer was reiterated by Secretary of Russian Security, Council Nikolai Platonovich Patrushev to National Security Advisor Shivshankar Menon.

The National Crisis Management Committee led by Cabinet Secretary A K Seth had discussed the Russian offer.Wary of Russia's offer to step in with advanced technologies, the general consensus was not to allow a foreign country in rescue works. Officials believed that it will lead to bad name for India as lot of inside detail and preparedness of the government will be thrown open to another country.

The Russian Ministry for Affairs of Civil Defence, Emergencies and Elimination of Consequences of Natural Disasters has 1,821 rescue workers and have handled emergency situations in Tajikistan, China, Cuba and Myanmar among others.

They have mobile rescue teams with debris cutters and machines to detect life under slush. The teams have been stationed across Russia at the airports and air force bases. The workers also stock essential items like blankets, beds, tents and food, and are capable of setting up mobile hospitals in just a few hours.

This was Russia's first offer to help after Shinde and Puchkov signed a pact in April to create an Indo-Russian commission on emergency situations. At that Puchkov had said, "We should work out a simplified model to provide aid to each other.. It is true

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that our Indian colleagues do not like to ask for aid and we also do not like. However, during large-scale disasters, floods, tsunamis and earthquakes, specialists' joint efforts help minimize the losses."

According to the commission's mandate, they will inform everyone about the direct threat From catastrophes and help train specialists. Russia and India will exchange info on research studies and plan projects. Moscow will help India set up a centre similar to the National Crisis Management Centre of the Russian Emergency Situations Ministry.

Despite New Delhi's refusal, Russia has offered help in reconstruction activities in Uttarakhand.

[4]This article rtii published in 'The Indian Express' on 2nd Jiffy, 2013.

Premise: Here a foreign country is ready to help India for managing disaster but the government is reluctant to use the offer.

The government contends that engaging a foreign country in disaster management (DM) programmes may expose to them, the loopholes of country's DM policy which would yield a bad name for the country. The situation throws an open challenge to the government, as on the one hand there is an urgency to save lives while on the other lies the nation's dignity.

Question: What should have been the government's stand according to you? Give arguments to justify your stand.

*This case can come under the following topic:

- Ethical Concerns and Dilemmas in governance
- Ethical issues in International Relations

Answer: A disaster often strikes without warning. While it is difficult to predict the disasters, an efficient disaster management policy would certainly mitigate the loss of lives accruing out of it. Given the recent trends of global warming, no country in the world is Insulated from disasters. This makes it imperative for the countries to have a strong disaster management team as well as policy.

Raz Kr

In India, the responsibility to manage disasters lies with National Disaster Management Authority (NDMA) which operates through National Disaster Response Forte (NDRF). The recent CAG report has suggested that NDRF, with lack of modern tools and techniques, is unable to undertake post disaster operations. On the other hand, Russia has a wide experience of carrying out such operations by saving a life in every 12 seconds (mentioned in the news only). It has also performed well during Indonesian Earthquake,

Taking these things into consideration coupled with India's inadequate technologies, htdia should have accepted the offer of Russia.

However, on the flipside, any such attempt would certainly yield a bad reputation for India, which is second populous country in the world. With such huge population it is an irony that India does not have a strong DM policy!

Another concern arises out of security architecture. The recent incident of misuse of technologies by developed world {through illegal surveillance mechanisms) has created a fear across the world community. For instance, it Russia is allowed in DM operations, it may leave behind it some surveillance system or for that matter other such techniques which may be a compromise with national security, in the long run. Moreover, allowing a foreign country would send a wrong signal to the rest of the world regarding India's ability to manage disaster by its own.

Nevertheless, each and every life is important. The art of management lies in integrating and regulating the actions rather than shielding it completely. Experience from globe suggests that there is a need of dose cooperation among the countries in disaster management. Russia, since the cold war era, has been a friend and ally of India. It has also supported India's bid for permanent membership of UNSC. Viewed under this light, the fears relating to breach of trust doesn't stand. Further, rather than yielding a bad name to India, the entry of Russia in DM programme would have

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provided India an opportunity to learn new techniques and would bring an exposure to state-of-the-art technique. Taking the pros and cons in this proposition; it is the positives that win over the apprehensions. Further, we should also remember that as a nation Russia has been 'proven'- ally of India since time immemorial. Hence India should have accepted the offer.

Case Study /3

Judges Appraisal to Depend on Disposal Rate

To bring accountability to the judicial system, annual confidential reports (ACRs) of judges are likely to be changed on the lines of what is applicable in case of civil servants. Now, judges' ACRs will also depend on how many cases they disposed of in the previous year.

Evaluation will be on quality of judgment, number of cases disposed of, etc. There will be negative marking for other performance standards such as giving unnecessary adjournments.

The higher judiciary, with the help of the law ministry, is working on changing the current system of writing ACRs of judges, which is based on weightage system, and may follow a pattern similar to what is in practice for civil servants.

According to sources, the Law Ministry is helping the apex court on setting performance standards. Disposal rate of additional judges of high courts will also be an important factor while considering their appointment as permanent judges.

Before the new performance standards are notified, the higher judiciary is also considering merging the categories of permanent and additional judges with immediate effect in all high courts to increase the strength of judiciary. It had been resolved during the April 5-6 meeting of chief justices that the total sanctioned strength of HC judges should be increased. Efforts are also on to enhance the performance standards of judges by sending them in batches to IIMs for improving their managerial skills.

Raz Kr

Monitoring of performance of judges will include how effectively they are implementing amendments carried out from time to time.

*This article was published in 'The Times of India' on 6th July, 2013.

Premise: The news says that the Government is planning to bring an ACR system for the judges, based on number of cases disposed. The objective is to increase the efficiency of judges and reduce the pendency of cases and to ensure their accountability as well. Such an attempt to speed up the judgment may compromise with the quality of judgment. There is a need to strike a fine balance between the two.

Question: How far, according to you, is this initiative would help in enhancing performance standards in judiciary? Do you think that work culture is the only reason for pendency of cases? Give arguments in support of your answer.

This case comes under the following topic

- Work Culture
- Regulations
- Code of Conducts
- Quality of Service Delivery
- Challenges of Corruption

Answer: Judiciary is the custodian and guardian of our Constitution. It is also a grievance redressal forum for common people. Such an institution should be highly efficient and honest; otherwise the constitutional values of the country would be in jeopardy. The people will lose their faith in the legal system, leading to a situation of chaos.

In the line with Civil Service, the bringing of ACR mechanism is a good initiative for ensuring efficiency and accountability. What matters is the weightage given to the different criteria mentioned in ACR.

Raz Kr

It is rightly said that "Quick justice is Devil's Justice". If "more than" 50% weightage is given to the speedy disposal of cases, it would create serious problems. This may lead to a rat race, of disposing cases, among judges in haste of getting promotion. In India, the laws are very complex and ambiguous and needs a continuous revision. The haste of speedy disposal may undermine the evolutionary nature of our courts, which often give new interpretations of the Constitution.

However, the data of pendency of cases, with more than 25 lakhs cases pending with our courts, necessitates the need of efficiency enhancement mechanisms for our courts. If "less than" 50% criteria is given to speedy disposal and more is given to quality of judgment, it would be a good mechanism to improve the performance standards of judiciary. The frequent adjournments and deferring of dates has led to piling up of cases with courts. The ACR mechanism would ensure that such adjournments and deferring should be on proper ground. Further the criteria relating to quality of judgment would also promote the innovation in Indian judiciary as against the present trend of delivering the justice by relying only on previous judgments.

As an alternative mechanism, the pendency of cases can also be reduced by mandating the lower courts to deal with such cases and leaving SC to take up either the cases of utmost public importance or those relating to constitutional matters.

Case *Study 14*

Under Trial can be MPt but not Cop: SC

A person facing murder trial can contest elections, become an MR and even a minister in the Union government, but pendency of a criminal case will not entitle him to a job in the lowest rung of a police force.

This is the gist of the Supreme Court's ruling, which set aside concurrent judgments of the Central Administrative Tribunal and the Delhi HC allowing a person, who was booked for rioting and assaulting but was acquitted after reaching a compromise with the victims, to join Delhi Police as constable.

A bench of Justice G S Singhvi and Justice Ranjana P Desai said, A candidate wishing to join the police force must be a person of utmost rectitude. He must have impeccable character and integrity. A person having criminal antecedents will not fit in this category.

Justice Desai added, "Even if he is acquitted or discharged in the criminal case, that acquittal or discharge order will have to be examined to see whether he has been completely exonerated in the case because even a possibility of his taking to a life of crime poses a threat to the discipline of the police force."

Mehar Singh and his aides had assaulted a bus conductor in 2004 on being asked to purchase tickets. They also broke window panes and assaulted passengers who came to the conductors rescue. But the aggressors reached a compromise with the victims and were acquitted by a trial court in 2009, the year in which Delhi Police advertised for recruitment of constables.

Mehar Singh cleared the physical test, written examination and interview. But the screening committee, which examined his antecedents, did not recommend his appointment as constable.

Singh challenged it successfully before CAT after which Delhi Police's appeal was rejected by the high court. But, additional solicitor general Rakesh Khanna argued before the SC that the acquittal was not as honourable as was being projected. Accepting his argument, the bench said, the police force is a disciplined force. It shoulders the great responsibility of maintaining law and order in society. People repose great faith and confidence in it. It must be worthy of that confidence.

(In a recent judgment, SC has held that any person in lawful custody will not be allowed to contest elections. This verdict

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although changes the nature of case study, we are still taking this news as it records a good example of 'ethical policing').

'This article was published in 'The Times of India' on 4th fuly, 2013.

Premise: As mentioned above, the verdict of SC has clarified that an under-trail can't be a part of police force while he/she can contest elections. The judgment rests on the presumption that police force needs a discipline and induction of a person with criminal background may jeopardise it.

Question: Do you think that impeccable integrity is required only in police organisation? Does the judgment attempt to drive codes of ethics away from politics?

This case comes under the folfowing topics

* Integrity
* Dedication to Public Service
* Emotional Intelligence
* Tolerance
* Attitude and its Influence on Thought and Behaviour

Answer: The working of a political system depends upon working of its various functionaries. Elected representatives and police force are the two very important functionaries of any political system. Both are equally important to the system. While former represents popular mandate, later is required for maintenance of law and order in the society.

An elected representative comes with popular mandate and has a role of policy formulation. It means his one decision can affect the millions of people. Allowing an under-trail or a person alleged to be of criminal background, to contest election, may vitiate the essence of democratic system. Such a person, if get elected would try to maximize his own interest rather that public interest.

A police force, on the other hand, commands no popular mandate. It is there to ensure public order, thereby providing

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a conducive environment for the functioning of Government, Discipline lies at the very core of police organisation, without which their efficiency can't be ensured. Also it is the Police, which is the most visible part of administration. It interacts and communicates with people on day to day basis. Any attempt to introduce an under-trail would give a serious blow to discipline and efficiency of policing. The person manning the organisation must be of impeccable integrity.

The same level of integrity is also required in legislatures but the difference lies in the fact that, by and large, they interact with people very rarely, often once in 5 years. Even if there is some interaction it is informal in nature. Such regulations, if applied to elected representative; would hamper the whole system of election. Given the frequent blame-games in politics, one can easily file frivolous complain against his/her rival to gain the ground. Hence making such stringent norms for elections may create a problem for judiciary also as it may increase the pendency of cases. It may also deter the people from grassroots to contest election as they are the one, who are most vulnerable in the lack of knowledge relating to legal provisions.

Moreover, in this case, the person in question has not been granted an honourable acquittal, rather he obtained it through a compromise, a fact which is well noted by the court. The behavior of the person with bus conductor shows that the person is not able to control his emotions and is lacking 'emotional intelligence'. Such a person doesn't deserve to be a part of an organisation which is expected to be rational and patient.

Case Study fS

Bid to make Rail Tariff Authority's Decision Binding

Passenger fares may no longer be part of the Railway Budget announcements if the proposal of the Railway Ministry on the powers of the proposed Rail Tariff Authority is to be accepted.

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Newly-appointed acting chairman of the Railway Board Arunendra Komar told that the proposal sought the government to accept the authority's decision in matters of passenger fares and freight charges.

The Railways doesn't want the authority to be just advisory in nature but that its ruling should be binding on the government to protect the Railways from the political pulls and pressures.

Mr. Kumar, however, stressed the authority's actual status will be decided by the inter-ministerial group and the Cabinet. The group is likely to submit its report before the Cabinet is approached for its view and approval.

Prime Minister Manmohan Singh held a meeting recently with Railway Minister Mallikarjun Kharge and put the authority's constitution on top of the list of work he listed for the Ministry to accomplish within a time frame. The authority's constitution would require an amendment to the Indian Railways Act, hence, Parliament's approval.

While the authority has come up in few months, the passengers' Immediate concern is the impending review of the fuel component that the Railways intend to adjust for the first time with effect from October.

Fuel prices would be adjusted in the last week of September, it could either be a reduction or an increase in fares, depending upon which way fuel prices weigh by then.

Next on the priority list is the constitution of an another inter-ministerial group of railways, finance and planning commission to raise finances and have an implementation mechanism to execute the backlog of sanctioned projects entailing an expenditure of Rs. 2 lakh crore.

The Prime Minister's thrust on the elevated rail corridor in Mumbai has not made much headway for want of a State government agreement. According to Mr. Kumar, the Maharashtra government was in the process of completing the site verification.

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Mr. Kumar hoped to meet the deadline of awarding the diesel and electric locomotive units in Bihar within the specified six months.

Regarding the CBI's petition for prosecuting member staff Mahesh Kumar in connection with a bribery scam, Mr Kumar maintained the permission had been granted recently.

Shortly, The Railways would challenge the interim stay order of CAT on the appointment of Member Traffic, a post lying vacant for several months.

Mr. Kumar said the process had been completed but for the stay order obtained by one of the contenders for the post, N.C Sinha. Only after CAT gave its ruling would the Railways proceed in the matter again.

This article was published in 'The Hindu' on 6th fuh\ 2013.

Premise: Government has recently proposed for the creation of 'Rail Tariff Authority'. As demanded by Railways, the decision of such authority regarding rail tariffs should be binding in nature. Government has the dilemma in striking a balance between financial and social obligation with regard to Railway.

Question: What according to you should be the nature of Rail Tariff Authority] Do you feel that maintaining status quo in the Railway will serve the purpose]

This case comes under the following topic

- Work Culture
- Regulations
- Quality of Service Delivery
- Utilisation of Public Funds

Answer: Railway is the lifeline of Indian economy. Being the largest means of transport it has social dimension too. The government, while thinking of its revenue, has also to take care of the aspirations of people.

Raz Kr

As of now, Railway requires a significant amount of modernisation but shortage of funds creates a major impediment in this. Creation of a Railway Tariff Authority (RTA) would free it from unnecessary political interferences thereby paving a way for its rejuvenation. The recent accidents of trains have also made the complete overhaul of the sector necessary. Moreover, the tariff of Railways in India, as of row, is lowest as compared to nest of the world. Putting it in other words, India, irrespective of its widening fiscal deficit, highly subsidises Railways.

However, the creation of such an authority would amount to freeing Railway from Government control, which may lead to unabated rise in tariffs. This is something divorcing the people from their own means. The rise of rail tariff would also impact the economy of the country adversely as the prices of goods transported by railways (like coal) will increase sharply which may add up to inflation.

Giving importance to people lies at the core of the democracy. At the Same time it is also true that no democracy can survive without strong economic conditions. Hence, the setting up of such an authority is a good initiative especially when Railway, in a country like India, is highly politicised. Examples from the past has suggested that our political leaders has used it as a means to acquire votes by starting innumerable number of trains, ignoring railway traffic Such ignorance has resulted in massive loss of lives on account of accidents that have taken place. The creation of such an authority will deter such attempts.

Moreover, recent incident of fire in Tamil Nadu Express also points towards the need of mordenisation and introduction of safety mechanisms in coaches. The matter of tariff rise is an issue which can be handled by putting such authority under a board containing political Leaders as well as civil servants or other regulatory mechanisms.

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Case Study-i6

Want to be DSP? Shell out Rs. 60 lakh

Skeletons are tumbling out of the cupboard of the Karnataka Public Service Commission (KP5Q, hit by a scam in the recruitment of gazetted probationary officers. The recruitment racket was well oiled and streamlined. Details provided by KP5C members, officials and middlemen have left CID amazed.

According to the investigators, every job had a fixed price. The posts of assistant commissioner, deputy superintendent of police and commercial tax officer fetched the highest price: Rs 40-Rs 60 lakh. A Tehsildar's job could be obtained for Rs SORs 30 lakh. The price of the first posting played a role in determining the bribe. A father-son duo would patronize people from their caste.

~Thk neivs was *published it) 'The Times of Indin' in July,* 2013.

Problem: You are working with the Treasury Department of a State Government. You have a very dose friend, Rahul, who was preparing with you for the Treasury Department entrance exams but could not clear the same. Now, you come to know that Rahul has been appointed as the gazetted probationary officer after paying a hefty amount to the middlemen. Considering that Rahui is a very close friend of you, how would you deal with the situation?

This case comes under the following topics

- Foundational values for Civil Services- integrity, impartiality
- Challenges of Corruption
- Ethical Concerns and Dilemmas

Options Available

In the given case, you may react in following ways-

First, you may report the prevailing unethical practices to the relevant department (e.g., vigilance commission or management

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committee of recruitment agency) and can share the details of your friend as an example.

Second, you may see It as an opportunity and can contact the middlemen with the help of Rahul.

Third, you may ignore the whole situation because you find yourself in dilemma- though you see it as an unethical practice but you are aware that no one is going to heed any attention as the middlemen have support of senior ministers and bitreaucrats. Also, you do not want to spoil your dose friendship with Rahul and do not want him to go to jail.

How to Approach

In such cases, in order to reach an ethically correct decision, you must ensure the compliance with following professional and ethical principles:

* Act with integrity: In line with the professional and ethical standards you should always act with integrity. This means not allowing your professional judgement to be compromised due to emotions or greed.
* Always provide a high standard of service: This means always ensuring that your client or all stakeholders with whom you have a professional responsibility, receive the best possible advice, support or performance from you.
* Act **in** a **way that promotes trust in the profession:** To put it simply, this means not acting In a way that reflects badly on you or the profession as a whole.
* **Treat others** with **respect:** Treating others with respect means being open and transparent with others such as your client, your peers and senior managers.
* Take responsibility: The professional and ethical standards suggest that if something does not feel right, you need to do something about **it**, for example, speak up.

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- Do something: Doing nothing may well have negative implications not just for you or your firm, but also for your entire profession and society. So always act and do not ignore the problem.

Consequences of Each Option

Merit should be the only criteria for recruitment in government offices (except where 'equity' is to be ensured for giving equal opportunity to weaker sections]. Corruption in recruitment procedures will make immense harm to the credibility of government institutions and will further increase inefficiency, poor service delivery, nepotism and unaccountability.

In this case, keeping silence and ignoring the situation is not a good option as it will give mute acceptance to the corrupt practices in recruitment. A responsible citizen should always raise 'voice' against corruption. Thinking on the line that it would bear no result shows the prevailing 'cynicism' in the society, which can be tackled only if some responsible persons raise their voices through various accountability mechanism.

Also, approaching the middlemen and getting a higher position through corrupt channels is against the ethical values of Justice, integrity and truth. Also, the same should not be approached on rational grounds as this may bring penal consequences and high disrepute to you and your family.

In such scenario, the best option would be to report the matter to the relevant agencies. This will ensure that corrupt people are brought to the justice and deserving candidates get the entry into the public services. This will also improve the public service delivery system in the long run. However, sharing the details of your friend with the disciplinary agencies may have grave consequences for him. This should be adequately dealt with.

Solution: In this case, an appropriate solution may have the following steps:

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- Discuss the matter with your friend and make him realize that what he has done is ethically and rationally wrong and he may be in trouble if matter is investigated.
* Report the matter to the appropriate authority and convince your friend to accept his guilt before the investigating authority. (Matter may be reported 'anonymously' if any threat from the middlemen is likely to come)
- Help your friend and his family in facing the adverse situation.

Case Study- 17

Nuclear Deterrence as a Moral Strategy

Throughout the Cold War, nuclear deterrence, particularly Mutually Assured Destruction (MAD), played a role in the maintenance of peace between the superpowers. Is nuclear deterrence a moral strategy?

This case comes under the following topic

* Ethical issues in International Relations

Answer: Nuclear Deterrence is a strategy of nations possessing significant nuclear arsenals for influencing the behaviour of other nations, usually also possessing nuclear arsenals. More specifically it is a strategy of putting in place incentives for other nations not to engage in certain kinds of military actions, in particular not initiating a nuclear war. These incentives are negative sanctions which are announced, and intended to be taken seriously. Basically, nuclear deterrence is a strategy of promising to retaliate against another nation for some military action with the use of nuclear weapons. The clearest case is a simple threat – if you use nuclear weapons against me, then I will retaliate and use them against you. The hope, of course, is that by clearly issuing this threat in a credible manner, you will come to the conclusion that it is not in your best interest to use nuclear weapons against me. Thus, I will have succeeded in deterring you from such a course of action.

Raz Kr

Deterrence theory gained increased prominence as a military strategy during the Cold War with regard to the use of nuclear weapons. It took on a unique connotation during this time as an inferior nuclear force, by virtue of its extreme destructive power, could deter a more powerful adversary, provided that this force could be protected against destruction by a surprise attack. A credible nuclear deterrent, Bernard Brodie wrote in 1959, must be always at the ready, yet never used.

Basic ethical views on nuclear weapons fall within three main positions:

- Use of nuclear weapons must always be wrong, and possession for deterrence must also be wrong.
- While use must always be wrong, possession for deterrence can be justifiable.
- Use might in some forms and circumstances be legitimate, and possession can therefore be justifiable.

How Nuclear Deterrence is a Moral Strategy?

- By succeeding in deterring the other country from using the nuclear weapons, thousands of innocent lives can be saved.
- If one country is nuclear-powered and other is not, then there will be increased risk that former will use its nuclear weapons against the latter. However, the phenomenon of MAD (mutually assured destruction) discourages a country to use the destructive weapons.
- Nuclear deterrence ensures the avoidance of nuclear war which makes it a perfect moral strategy.

How Nuclear Deterrence is not a Moral Strategy?

Raz Kr

- There will always be possibility that one country gets aggressive and breaches its commitment to 'no-first-use' doctrine. This would lead to loss of thousands of innocent lives. Also, in this case, there may be 'escalation' effect, i.e., the other country will also retaliate with the nuclear weapons and a chain reaction can take place.

- Though the nuclear deterrence, apparently, avoids the war; but in actual, they are like conditional intentions to do more inhuman and immoral acts.

- It encourages the countries to develop the nuclear power technology for war purposes and thus leads to proliferation of nuclear weapons, which is detrimental to the efforts of nuclear disarmament.

- Nuclear deterrence also involves coercion and coercion cannot be considered to be an element of moral strategy.

Conclusion

The best way to save the humanity from the terror of nuclear destruction is 'nuclear disarmament'. Bui unfortunately, in the present world order, this seems not going to happen at least in near future. Therefore, perhaps the solution lies in the strategy of 'deterrence' only.

As no country in the world can stop the other country from developing the nuclear power, and as the concentration of nuclear power in one group of ally countries will always increase the risk of using the nuclear power by them, nuclear deterrence becomes a major strategy in ensuring that nuclear weapons are though held but not used. In this way, the strategy of deterrence becomes a significant strategy, acceptable also on moral and ethical grounds, as it ensures the harmony and peace in international affairs.

Raz Kr

Cose Study 18

Unethical Nexus between Govt Officials and Private Company

Mr. Y, who is working as the Public Information Officer (PIO) in the Ministry of Urban Development, receives an application under Right to information Act {RTI), 2005. The application seeks information regarding the method of allocation of contract to a local construction company owned hy an influential businessman. The contract pertains to a flyover, made by the aforesaid construction company. The flyover, just before the completion, has collapsed resulting in the death of two labourers. Since the case did not attain much hype by media or any NGO, it was suppressed silently. Mr. Y knew that some of his superiors are involved in the suppression of the case. They have received heavy bribe from the construction company for allocation of contract and allotted the contract to the company, irrespective of the poor records and less experience of the company. If Mr. Y provides the true information, his superiors along with the company officials would be in trouble. He Is continuously getting an undue pressure from his superiors to manipulate the information. Moreover, the company officials have also offered him a huge sum of money in return of this favour. Mr. Y is also in the need of financial assistance as his father is admitted in a private hospital and waiting for the replacement of Kidney. What according to you should be the course of action taken by Mr. Y under these circumstances? Analyse the Dilemma faced by Mr. Y.

Premise: The case presents an example of dilemma faced by the PIO along with the challenges posed by the corruption in public services. That the PIO is in need of the money and he is being offered the same makes the case more complicated as it narrows down the choices available to PIO viz. either to choose personal

Raz Kr

gain or the public interest. It is also related to the dissemination of true information and hence the dedication towards the duty by the PIO.

This case comes under the following topic;

- Ethical Dilemma
- Challenges of Corruption
- Right to information
- Conscience as a Source of Ethical Guidance
- Integrity
- Corporate Governance

Answer; A Public Information Officer (PIO), appointed under Right to Information Act, 2005, is a first and foremost entity in the chain of information dissemination. He plays a major role in ensuring the effective working of RTI by ensuring that true and proper information is reached to the person who sought the information. Duties of a PIO as mandated in RTI Act, 2005 are:

- PIO may seek the assistance of any other officer for the proper discharge of his/her duties.
- PIO, on receipt of a request, shall as expeditiously as possible, and in any case within 30 days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in Section 8 or Section 9 of the Act.
- Where the information requested for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.
- If the PIO fails to give decision on the request within the period specified, he shall be deemed to have refused the request.

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- PIO shall provide information in the form in which it is sought unless it would disproportionately divert the resources of the Public Authority or would be detrimental to the safety or preservation of the record in question.

From the aforesaid provision, it is dear that, Me Y is bound to provide the information sought by the person. But then, the problem is that, by doing so he would invite the wrath of his seniors which may result in the hostile working environment for him. Moreover, he would also forgo the huge sum of money, which he actually need at that time on account of the critical condition of his father.

Nevertheless, these reasons do not mean that the information granted should be manipulated to favour few persons. Dedication to duty is the best way out. Transparency and Accountability are hallmarks of our democratic system and in no way they should be compromised, Mr. Y being a PIO must adhere to rules and provisions, irrespective of the situations. Situations are temporary but the reputation is permanent. Any manipulation in information may adversely affect the reputation of Mr. Y. So he should go according to the rule and should work without fear.

* * *

Raz Kr

UNIT

9

2013 GS PAPER-TV

With Solution

1. **What do you understand by Values' and 'ethics'? In what way is it important to be ethical along with being professionally competent? (10 marks | 150 words)**

Ans. Values are beliefs that a person holds about things and aspects of life. These are the guiding principles that mould his behaviour all his life. Mostly the values a person holds are developed by the company he keeps and the first values he learns are from his parents. Later on he is taught more about values in school. Societies have different value systems and people living in these societies are guided by these values.

On the other hand Ethics are codes of conduct that decide what is wrong and what is right in a particular circumstance. These are also known as morals and are a result of evolution of mankind. When these ethics were not in place, no human behaviour could be categorized as good or bad which is what led to the development of these standards to guide human behaviour in a society.

In the public service work ethic is a value based on hard work and diligence. It is also a belief in the moral benefit of work and its ability to enhance character. An ethical working may include being reliable, having initiative, or pursuing new skills. In a way being ethical improve the overall performance of the organisation by reducing wastages, inefficiency and eliminating corrupt practices.

It is important to be ethical along with being professionally competent. This generally involves when to apply and when to forbear from applying knowledge, based on ethical principles: what is 'right' and 'not right' taking into account people's needs as well as what is morally correct and sensitive to the situation of public.

Raz Kr

Being ethical highlights an extra element in a professional as it concerns the manner in which expertise is exercised and qualified in order to encourage trust.

For example, one of the responsibilities of the bookkeeper for a small business is to maintain a petty cash fund. The bookkeeper decides to take some friends out to dinner so she "borrows" some money from petty cash with plans to replace it the next day.

In this case, the bookkeeper, though expert/professionally competent in his work, has essentially stolen money from her place of employment If emergency comes in then there wilt be a shortage of the amount that is taken out by the bookkeeper because according to the employer he does have that amount but actually that is not in the cash fund. Hence, it is important to be ethical along with being professionally competent.

2.(a) What do you understand by the following terms in the context of public service? (5 terms x 3 marks each (15 marks | 250 words)

a. Integrity.

b. Perseverance.

c. Spirit of service.

dr Commitment

e. Courage of conviction

Ans. (i) Integrity- Integrity in the public service is regarded as the honesty and truthfulness or accuracy of an individual's actions. Integrity is the quality of being honest and having strong moral principles. One essential aspect of integrity is avoidance of any unwarranted (arbitrary) exceptions for a particular person or group.

(ii) Perseverance: Perseverance is commitment, hard work, patience, endurance. in public service Perseverance helps in being able to bear difficulties calmly and without complaint. Perseverance in another word is trying again and again till the success.

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(Mi) Spirit of service: In public service, spirit of service implies that whatever work you are engaged in, whatever duties you have to perform as an official or an employee, to do your duties efficiently and with diligence and devotion. Men have to cultivate other qualities like love, sympathy, fairness, compassion and forgiveness. Only when one has these qualities he will be able to render dedicated service.

(iv) Commitment: In public service, commitment is the act of binding yourself (intellectually or emotionally) to a course of action and fulfil your obligation in every condition. Public servants must be committed to large goals set by Constitution such as equality, justice, etc.

(v) Courage of conviction: A conviction is a firmly held belief or opinion. It is necessary to have enough courage and determination to carry out one's goals. In public service, courage of conviction is must to serve the people with compassion and empathy.

2. (b) Indicate two more attributes which you consider important for public service. Justify your answer. (10 marks 1100 words)

Ans. Impartiality and empathy and compassion are two attributes which are considered as important for public services besides Integrity, perseverance, spirit of service, commitment and courage of conviction.

Impartiality as a principle of justice prescribes to public servants that decisions should be based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit to one person over another for improper reasons. It is necessary for promoting equality in the society.

Empathy and Compassion: Empathy refers to the ability to imagine oneself in another's place and understand the others' feelings, desires, ideas, and actions. The ability to empathize is directly dependent on one's ability to feel one's own feelings and identify them. Compassion is the feeling of empathy for

Raz Kr

others. Compassion is the emotion that we feel in response to the suffering of others that motivates a desire to help. In a country like India where large number of people are poor and underprivileged and prevalence of inequalities in the society attributes like empathy and compassions are prerequisites for the civil servants.

3. Some people feel that values keep changing with time and situation, white others strongly believe that there are certain universal and eternal human values. Give your perception in this regard with due justification. (10 marks | 150 words),

Ans. Our values do change over time. They change as we grow from childhood to adulthood. As values tend to be picked out in a haphazard, piece-meal fashion from friends, parents, the media, teachers, popular heroes, and clergy in that order; therefore, values are frequently contradictory. Changes in values usually result from conflicts: we act in ways we don't value, we see another viewpoint, we recognize inconsistencies among our values, and we are pressured to change our values by others, and so on. In many of these conflicts, such as individual freedom vs. responsibility for others or happiness vs. achievement, there are persuasive arguments on both sides.

However, according to Kohlberg, during our lifetime, we pass through various stages of moral development. As a small child we make choices based on the immediate consequences of their decisions. Adults who have not developed beyond this level of moral development only choose an ethical alternative if it is in their Immediate personal interests.

People adapt their values to their life circumstances. They upgrade the importance they attribute to values that they can readily attain, and downgrade the Importance of those values whose pursuit is blocked. For example, when values that concern material well-being (power) and security are blocked, their importance increases; when they are easily attained their importance drops.

Raz Kr

Strong persuasion can also change values. For example, if bureaucrats who have been extremely honest in their initial periods but resort to corruption under family or peer pressures. Sometimes learned helplessness causes a change in value—1 can't change the system, so 1 will adapt to it. However, when a change is brought in personal values, it doesn't bother the person too much but when there has to be a change in core or central values, the person goes through immense psychotic pressure.

On the other hand, there do exist a small percentage of people who progress to the highest level of moral development - make decisions based on human rights, fairness and justice. Such people strongly believe that there are certain universal and eternal human values which don't change with time or situation. For instance, value of human life and dignity is universally upheld.

Finally, it may be argued that the conception of values cannot be upheld in a water-tight compartment. The acceptance of a value might be universally valid, but its nature in a particular situation may vary according to the times and needs of the society.

4. **What is 'emotional intelligence and how can it be developed in people? How does it help an individual in taking ethical decisions? (10 marks | 150 words).**

Ans. Emotional intelligence refers to attributes such as understanding one's feeling, empathy for others, and the regulation of emotions to enhance one's life. EI is necessary for building trust, creating a sense of identity and efficacy, solving problems with others, cooperating, and participating productively in a group.

When emotionally intelligent people work together, they have the ability to sweep aside minor conflicts in order to focus on the team's interests. They can deal well with more serious conflicts, and they can grow from any disagreements that may arise.

If people in the organisation have lower EI or no EI, the leader or the head of the team should take initiatives to develop EI in

Raz Kr

them. So that he/she can realize their full potential as individuals, or work well within a group.

To begin with, start by making sure that you are leading with emotional intelligence. This means staying aware of your own thoughts and feelings, and managing them, so that you affect other people positively.

Second, let the team members know how developing their EI will benefit them, both personally and professionally.

Third, develop Self-Awareness. Self-awareness is the most important aspect of EI. People who are self-aware understand their own thoughts and emotions, as well as understanding how their actions affect others around them.

Fourth, strengthen Communication. People with high E! typically have excellent communication skills. Develop better communication in your team by teaching people to understand body language.

Another important and often overlooked communication tool is listening. Teach everyone on your team to use active listening skills, and to respect other people when they're speaking. When people are obviously not listening, call them out on their behavior.

Sixth, develop the ability to think positively. You can help your people think positively by stopping self-sabotaging behavior or statements.

Seventh, encourage healthy conflict. This type of conflict can strengthen people individually and within a group, and can lead to personal growth.

Last but not the least, set specific learning goals. First, help each person discover their strengths and weaknesses by conducting a SWOT analysis. Next, set clear, specific goals to help each person work on their weaknesses. Last, make sure that you provide constructive feedback on each person's progress. A word of encouragement or a helpful observation will go a long way in keeping the team members motivated and moving forward.

Raz Kr

People with high emotional intelligence are usually very self-aware. They understand their emotions, and because of this, they don't let their feelings rule them. People who self-regulate typically don't allow themselves to become too angry or jealous, and they don't make impulsive, careless decisions. They think before they act. People with a high degree of emotional intelligence are usually motivated. They're witling to defer immediate results for long-term success. They're highly productive, love a challenge, and are very effective in whatever they do. People with high emotional intelligence are also empathetic. People with empathy are good at recognizing the feelings of others, even when those feelings may not be obvious. As a result, persons with high EI take ethical decisions.

5. (a) What do you understand by the term 'voice of conscience'? How do you prepare yourself to heed to the voice of conscience? (10 marks| 150 words)

Ans. Conscience is an aptitude, faculty, intuition or judgment that assists in distinguishing right from wrong. Moral judgment may derive from values or norms (principles and rules). Conscience is the voice of the Self which says 'yes' or 'no' when you are involved in a moral struggle. It raises the voice of protest whenever anything is thought of or done contrary to the interest of its master.

Conscience is a form of truth. It is the knowledge of our own acts and feelings of right or wrong. It is a sensitive balance to weigh actions. It is the faculty or principle by which we distinguish right from wrong. It is a guiding voice from within. Sense of duty is conscience. Scrupulousness is conscience. Conscience is a silent teacher.

Cultural acceptance and peer pressure are powerful forces in subduing the voice of our conscience. Social trends can influence people's ideas on right and wrong. For example, more recent cultural acceptance, like divorce being accepted as the way to deal with problems in marriage, pre-marital sex becoming accepted.

Raz Kr

Peer pressure is similar to social trends, but it can be more difficult to resist. Peers can pressure individuals to speak, dress and behave in ways that conform to a group. Peer pressure can incline individuals to accept peer expectations without question. In this case, people forget to listen to their conscience. Peer pressure can also influence people not to go against peer expectations for fear of being rejected by the group.

So, to give heed to the voice of conscience, one needs tu be awakened and sharpened to new clearness through purity of conduct and practice of ethical virtues. Besides, one needs to ignore social trends, peer-pressure to listen to one's own inner voice. Sometimes, strong emotions take over one's thoughts and other feelings. Hence, one needs to develop the habit of not acting under emotional pressure, as it can take over making moral judgements. Moreover, by adhering to truth, dharma and virtue one can keep one's conscience always bright and sharp.

5. (B) What is meant by 'crisis of conscience'? Narrate one incident in your life when you were faced with such a crisis and how you resolved the same. (10 marks| 150 words)

Ans. The sense of conscience defines — the ability to determine right from wrong; to decide whether to act with truth or deceit is fundamental to our understanding of what it means to be human. When a person does a wrong action, the conscience pricks him. It says in a clear, small, shrill voice, 'Do not do this wrong action, my friend'. After hearing this shrill voice if one acts against one's conscience to meet the demand of the situation then there is a crisis of conscience.

I was staying in a rented room in Delhi. One day around 11 o'clock at night, I heard some loud voices. After sometime, I found that someone is beating the other. I realized that it was the husband beating his wife, by the time I decided to go the upstairs it was all silent. Their lights were off and they might have gone asleep till then. The whole night there was a sense of guilt in me.

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I should have reacted immediately.

After few days, I heard the same noises and beating sound. I went to the upstairs immediately and tried to make the person understand that in whatever way he was behaving is both morally and legally wrong. But he didn't listen to me and dosed his door saying that it is his personal matter and none of my business to interfere. Immediately I called to the women's helpline and intimated them about this act of domestic violence. Within 15-20 minutes police reached and took appropriate legal course.

Voice of Conscience prompts the person to choose the right instead of the wrong, and tells you that you ought to do the right. If there are pinpricks and twists in the conscience, if there is a sense of shame, depression in the heart, know that you have done a wrong action. If there is exhilaration, cheerfulness, feel you have done a virtuous action.

6. Given below are three quotations of great moral thinkers/ philosophers. for each of these quotations, bring out what it means to you in the present context: (each quote for 10 marks and 150 words)

(A) "There is enough on this earth for every one's need but for no one's greed." Mahatma Gandhi.

Ans. "The world has enough for everyone's needs, but not everyone's greed," Mahatma Gandhi said in what is now one of his best-known quotes. Its ubiquity is for good reason. Our 'must-have, must-buy' economy is eating into the planet's resources like never before; something Gandhi foresaw three-quarters of a century ago. He also warned of the dangers of other countries taking to western industrialism.

There is no doubt about how true this statement is and there are many ways one can prove it. Nature was made in such a way that there will be a balance in the eco-system and everybody gets enough what they need in proportions for them to live a good life.

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Unfortunately, Man, being greedy, has taken advantage of this fart. They want more than what they need and would go out of their way to get it. They take more than what they give. The more they have, the more superior they feel. Environmental degradation is certainly one of the most terrible offshoots of globalization and rampant consumerism. Crony capitalism, corruption, unmindful exploitation of natural resources are few examples of men's greediness. All these are creating more inequalities in the world and society. For example, in developing countries like India where ruraburban, rich-poor divide has increased despite the high economic growth.

(b) "Nearly ail men can withstand adversity, but if you want to test a man's character, give him power."—Abraham Lincoln

Ans. All men can handle hardship (at least to an extent}. That's a part of life. Adversity is life's test for slrength, durability, true willingness to live. A good man will not abuse power but will use it for the common good, for those his actions affect. A man with bad character will abuse power and use it solely for his own self-interest, will not be patient or understanding in his pursuits. Though a man may be able to withstand many hardships due to strength it doesn't mean that he is good or fair to others in his rule. Men don't stand strong in wealth, success and prosperity. We become complacent when things go well with us. Our success and overconfidence as a result become our Waterloo. Power can cause a person to influence others to commit actions that they may normally not commit, disrupt the relationships a person has with others, and even have a person becoming less conscious toward consequences.

(c) "I count him braver who overcomes his desires than him who overcomes his enemies."—Aristotle

Ans. It Is about the eternal internal struggle of humanity. We seem to have a gap between what we know we should do and what we actually do. People who smoke or overeat are two obvious examples. Overcoming ones desires is a very difficult thing for most of us to do. Conquering an enemy, or defeating any external

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obstacle, that is easy when compared to conquering that which lies within us. With everything focused on the outside, you can ignore the internal conflict. When facing yourself, you must bring a level of honesty and integrity that is very admirable, and more than a little difficult. Seif knowledge is necessary to understand your motivations and your desines. So to overcome your desires, you must start with self-knowledge, then you can move to self-discipline, then, with practice, comes the victory over your desires.

7. "The good of an individual is contained in the good of all." What do you understand by this statement? How can this principle be implemented in public life? (10 marks | 150 words)

Ans. This concept was propagated by Gandhiji as 'Sarvodaya' i.e. the greatest good of the greatest number. Gandhi visualises a very creative dynamic between the individual and collective wellbeing. He sees the two as being in sync. Nobody should be asked to pay the price for the majority to benefit. Gandhi viewed his Classless society with welfare of all sections of people the poor, the down trodden, the exploited and the least. He had the ideal of Sarvodaya of social upliftment, economic emancipation and moral resurrection of all. The Gandhian concept of Sarvodaya also inherited from the cultural heritage of India - Indian culture since the early days of recorded history clearly conceives of the welfare of all. Co-operation, he argued, not competition, is the natural state of mankind. The same is true for our economic system. Intrinsic to this belief is a concern about 'command-and-control' business models that rely on, and exacerbate, distortions of power.

The Bhagvad Gita is also replete with references to the concept of universal welfare or the welfare of all. Apart from Hindu Scriptures, Buddhism and Jainism served as adjuncts to Hinduism also lay equal emphasis on the welfare of all. The universal love and universal welfare form the corner-stones of the Buddhist philosophy. The Jainas equally accept as their ideal the welfare of all.

The contemporary National Food Security Bril is based on Sarvodaya principles as it has adopted a human life cycle

Raz Kr

approach, looks at providing coarse grains (nutri-cereals) at subsidised rates, giving impetus to the public distribution system, giving woman the position as the head of the family, and synergising drinking water, sanitation, hygiene and food.

This principle can be implemented by initiating socio-economic welfare schemes for the downtrodden and vulnerable people.

ft. It is often said that 'politics' and 'ethics' do not go together. What is your opinion in this regard? Justify your answer with illustrations. (10 marks | 150 words)

Ans. Politics is an essential human activity – essential in building societies and communities based on rules, laws and a balance of conflicting interests. Politics is complex and difficult. It requires a high level of responsibility and commitment from citizens, political parties, parliamentarians, government executives, the judiciary, the media, business, nongovernmental organisations, and religious and educational institutions. Politicians are often seen as selfish and corrupt power-players, defending special interests instead of the common good and the different parts of the population. "Ethics in politics" seems to many a contradiction in terms, even though many politicians try to give their best for the common cause of a country or the international community.

Trust in and respect for politics and politicians is vital for living together in communities and societies – especially in democracies. Many problems are so interdependent that no one can pretend that local, regional or sector-wide solutions will suffice. Consider how interwoven are economic growth, trade-related issues, environmental challenges, financial mechanisms, "too big to fail" banks, political regional and national constellations, social trust and respect of human rights, migration, corruption and security threats. These challenges are systemic, and the systems are as vulnerable as their weakest links. These factors require that ethics in politics is necessary. We need a change of paradigm in the way politics is shaped and realised by both politicians and citizens. Justice is at the heart of

Raz Kr

ethical politics and policies. It may embrace several meanings:

- Equity, equal access to resources, information, influence or equal capabilities
- Fair distribution of common and public wealth, assets, services
- Same rules for everybody, impartiality
- Fair proportion between the gravity of crimes and their punishment
- **Compliance with laws**

Down through the centuries, philosophical schools have argued hotly whether the good, the right, the just or the useful should be seen as the chief end of politics – its main arm. In fact, political justice should pay tribute to each of these and prove it inclusive.

9. A Public Information Officer has received an application under RTI Act. Having gathered the information, the PIO discovers that the information pertains to some of the decisions taken by him, which were found to be not altogether right. There were other employees also who were party to these decisions. Disclosure of the information is likely to lead to disciplinary action with possibility of punishment against him as well as some of his colleagues. Non-disclosure or part disclosure or camouflaged disclosure of information will result into lesser punishment or no punishment.

The PIO is otherwise an honest and conscientious person but this particular decision, on which the RTI application has been filed, turned out to be wrong. He comes to you for advice

The following are some suggested options. Please evaluate the merits and demerits of each of the options: (20 marks 1250 words)

(i) The PIO could refer the matter to his superior officer and seek his advice and act strictly in accordance with the advice,

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even though he is not completely in agreement with the advice of the superior.

Ans. According to the service rules, every Government servant shall at all times have to maintain absolute integrity; maintain devotion to duty; and do nothing which is unbecoming of a Government servant. Further it is important to disclose the matter to the seniors. Thus the above option is correct. He should disclose the matter to the senior and seek his advice and act according to it.

(ii) The PIO could proceed on leave and leave the matter to be dealt by his successor in office or request for transfer of the application to another PIO.

Ans. This is an incorrect and inappropriate way of handling the situation. The person can't run from the problems. This will show his inefficiency and wifi be against his principles also.

Further transferring the matter may be a correct option as this will help in transparent handling of the case and principle of natural justice will be followed.

(iii) The PIO could weigh the consequences of disclosing the information truthfully, including the effect on his career, and reply in a manner that would not place him or his career in jeopardy, but at the same time a little compromise can be made on the contents of the information.

Ans. The PIO can reply in a manner that would not place him or his career in jeopardy but he can't compromise with the contents of the matter; doing this will be a serious crime, as offical documents cannot be tampered.

He can reply the fetter by seeking the advice of the senior without compromising his honesty.

fiv) The PIO could consult his other colleagues who are party to the decision and lake action as per their advice.

Ans. As the official decision had been taken by a group of members, thus consulting them before taking any step is justified.

Raz Kr

Thus PIG could consult his other colleagues who are party to the decision.

But the decision may or may not be as per the office norms.

Q. Also please indicate (without necessarily restricting to the above options) what you would like to advise, giving proper reasons.

Ans. The PIO should consult his senior and colleagues for advice in the particular matter. He should take moral responsibility of the act and send an apology letter to the senior and should leave the matter to his discretion.

This decision will help PIO in maintaining his integrity. Further he will act as a cover for the other team members.

But he should disclose the matter to the information seeker as he is compelled to do so according to the RTI Act.

IQ. You are working as an Executive Engineer in the construction cell of a Municipal Corporation and are presently in-charge of the construction of a flyover. There are two junior Engineers under you whn have the responsibility of day-to-day inspection of the site and are reporting to you, while you are finally reporting to the Chief Engineer who heads the cell. While the construction is heading towards completion, the Junior Engineers have been regularly reporting that all construction is taking place as per design specifications. However, in one of your surprise inspections, you have noticed some serious deviations and lacunae which, in your opinion, are likely to affecl the safety of the flyover Rectification of these lacunae at this stage would require a substantial amount of demolition and rework which will cause a tangible loss to the contractor and will also delay completion. There is a lot of public pressure on the Corporation to gel this construction completed because of heavy traffic congestion in the area. When you hroughl this matter to the notice of the Chief Engineer, he advised you that in his opinion it is not a very serious lapse and may be ignored. He advised for further

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expediting the project for completion in time. However, you are convinced that this was a serious matter which might affect public safety and should not be left unaddressed.

What will you do in such a situation? Some of the options are given below. Evaluate the merits and demerits of each of these options and finally suggest what course of action you would like to take, giving reasons. (20 marks 1250 words)

Ans. The options are:

(i) Follow the advice of the Chief Engineer and go ahead.

Ans. According to service rules, this option is correct, as a subordinate has to move according to the orders of the senior, but only if it is in written form. If not, a person can work on his discretion, And as in this case, the safety of the public is at stake so avoiding the lacunae is not the solution.

(it) Make an exhaustive report of the situation bringing out all facts and analysis along with your own viewpoints stated clearly and seek for written orders from the Chief Engineer.

Ans. This option is correct as by making an exhaustive report the Executive Engineer will be able to come across all the facts and figures related to the project. He may also reach to an alternative for correcting the flaws in construction. Further, ali the official acts need written order for its fulfillment, thus asking for written orders from Chief Engineer is a must. This wili make him accountable for the future unforeseen circumstances,

(in) Call for explanation from the junior Engineers and issue orders to the contractor for necessary correction within targeted time.

Ans. This will be a right step as Junior Engineers should be answerable for their deeds and contractors should be made liable to complete the necessary corrections in time. Further the Executive Engineer can also blacklist ihe contractor if he is found guilty and ask for fresh tender to make the project complete on

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rime without lacunae.

(iv) Highlight the issue so that it reaches superiors above the Chief Engineer.

Ans. This will be an informal method of action.

(v) Considering the rigid attitude of the Chief Engineer, seek transfer from the project or report sick.

Ans. This is absolutely a wrong action. This will show the incompetency of Executive Engineer In handling the situation.

Correct course of action: The Executive Engineer should make an exhaustive report related to the construction lacunae with further course of action defined. Further junior engineers should be made liable for their acts and official proceedings should be launched against them. Further, steps should be taken to decrease the cost of reconstruction and timely completion of the project.

11. Sivakasi in Tamil Nadu is known for its manufacturing clusters on firecrackers and matches. The local economy of the area is largely dependent on firecrackers industry. It has led to tangible economic development and improved standard of living in the area.

So far as child labour norms for hazardous industries like firecrackers industry are concerned, International Labour Organization (ILO) has set the minimum age as 18 years. In India, however, this age is 14 years.

The units in industrial clusters of firecrackers can be classified into registered and non-registered entities. One typical unit is household-based work. Though the law is clear on the use of child labour employment norms in registered/non-registered units, it does not include household-based works. Household-based work means children working under the supervision of their parents/relatives. To evade child labour norms, several units project themselves as household-based works but employ children from outside. Needless to say that

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employing children saves the costs for these units leading to higher profits to the owners.

On your visit to one of the units at Sivakasi, the owner takes you around the unit which has ahout 10-15 children below 14 years of age. The owner tells you that in his household-based unit, the children are all his relatives. You notice that several children smirk, when the owner tells you this. On deeper enquiry, you figure out that neither the owner nor the children are able to satisfactorily establish their relationship with each other. (25 marks [500 words)

(i) Bring out and discuss the ethical issues involved in the above case.

(it) What would be your reaction after your above visitf

Ans. (i) According to the above case study, children are **involved in making** firecrackers. This leads to the **violation** of national and international child labour laws.

The children are forced to work that is mentally, physical, socially or morally dangerous and harmful to them. This can also affect their schooling; this is due to the fact that they are deprived of the opportunities to attend school. Children have to face very difficult circumstances:

- Full time work at a younger age.
- Excessive working hour, subjection to psychological, verbal, physical and sexual abuse.
- Limited or no pay.
- They have no chance to escape from the poverty cycle- this is due to the fact of having no access to education.
- Unhealthy working situations.

(ii) The steps need to he taken are:

- If children are involved in making firecrackers, swift action

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should be taken to protect the interests of the children and secure their urgent transition from work into good quality education.

- Search teams should be sent to the area to check for violation of law of land.
- Strict actions should be taken against the culprits, license should be cancelled.
- Employment options for parents should be opened so that they do not send children for working in factories.
- Welfare schemes should be implemented in full swing to identify the correct beneficiaries and allot them their rights.
- Shelter homes should be provided to the orphan children.

12. You are heading a leading technical institute of the country. The institute is planning to convene an interview panel shortly under your chairmanship for selection of the post of professors. A few days before the interview, you get a call from the Personal Secretary {PS) of a senior government functionary seeking your intervention in favour of the selection of a close relative of the functionary for this post. The PS also informs you that he is aware of the long pending and urgent proposals of your institute for grant of funds for modernization, which are awaiting the functionary's approval. He assures you that he would get these proposals cleared. (20 marks | 250 words)

0) What are the options available to you?

(ii) Evaluate each of these options and choose the option which you would adopt, giving reasons.

Ans. The options are:

Option 1: Humbly explain to PS the selection criteria which involves interview by the panel consisting of members and you as a first among equals. Here it is reasonable to placate the situation by allowing him to understand your inability to help him with his

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proposal. Tell him, that, acceptance of his proposal would amount to the breach of professional ethics and integrity of the institution. The act, if done would be construed as an unethical act. Any sort of favourttsm notwithstanding to ensure justice amounts to unconstitutional, discriminatory which undermines the basic tenets of meritocracy. The financial enticement of grants should not be allowed to jeopardize the transparency and integrity of an institution. These sorts of proposals must be defeated at the very origin.

Option 2: He should directly say no to the Personal Secretary by explaining all the procedure involved in selection of the candidates as his proposal is against the official norms. He should tell PS that the procedure of interview is transparent and if his relative is eligible for the post of professor, he will definitely be selected for it, even without favour. Further, the assurance of getting cleared the proposal of grant of funds for modernization by the PS in return of the favour proves his unethical conduct. This kind of offer by the PS proves that the institution is eligible to get the grant but he has intentionally delayed the sanction of the grant. Grant of fund for the institution is an official act for the fulfillment of operational requirement of the institution. There are many institutional mechanisms which can be approached to address the issue of the grants; it does not require any sort of individual favour.

13. As a senior officer in the Finance Ministry, you have access to some confidential and crucial information about policy decisions that the Government is about to announce. These decisions are likely to have far-reaching impact on the housing and construction industry. If the builders have access to this information beforehand, they can make Huge profits. One of the builders has done a lot of quality work for the Government and is known to be dose to your immediate superior, who asks you to disclose this information to the said builder. (20 marks| 250 words)

(i) What are the options available to you?

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(ii) Evaluate each of these options and choose the option which you would adopt, giving reasons.

Am. The options are:

Option 1r Confidential and crucial future policy decisions of the government cannot be disclosed to the builder who is seeking it for the personal windfall gains. Disclosure of such policy decisions of the government would have serious repercussions on the economy, and would also undermine the secrecy of the information and professional integrity of the institution. This case is very critical and requires due attention, thereby, a request should be made to the senior to issue an official written order to disclose the information. The proper chain of command and protocols must be adhered to in such a critical case. In case the senior proceeds further even with the written order, a clarification request can also be sought from the Ministry regarding my position to disclose the information. As my involvement is sought by the senior in this art, it is rather important to ensure maximum justice and diligence on my part before taking any action.

Option 2. A humble request should be made to the senior to reconsider his intention by explaining him all the sensitivity and criticality of the information. It is an unethical act followed by the favourtism which are nuisance to any institution, and, would severely undermine the integrity of the institution and honesty of public officials. It would also amount to big loss to government exchequer and embarrassment in public discourse.

This way The situation can be placated which may compel the senior to reconsider his intention. Thereby a reasonable step can be taken by intelligently using both the options.

14. You are the Executive Director of an upcoming InfoTech Company which is making a name fur itself in the market

Mr. A, who is a star performer, is heading the marketing team. In *a* short period of one year, he has helped in doubling the revenues as well as creating high brand equity for the

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Company so much so that you are thinking of promoting him. However, you have been receiving information from many comers about his attitude towards the female colleagues; particularly his habit of making loose comments on women. In addition, he regularly sends indecent SMS's to all the team members including his female colleagues.

One day, late in the evening, Mrs. X, who is one of Mr. A's team members, comes to you visibly disturbed. She complains against the continued misconduct of Mr. A, who has been making undesirable advances towards her and has even tried to touch her inappropriately in his cabin. She tenders her resignation and leaves your office. (20 marks | 250 words)

0) What are the options available to youf

00 Evaluate each of these options and choose the option you would adopt, giving reasons.

Ans. The options are:

Option 1: After receiving the complaint, Executive Director should take prompt action against Mr. A. He should appoint a three member committee as per the Sexual Harassment al Workplace Act, if not in place. The members should be independent and inquiry should be done neutrally. Both the sides should be given chance for explanation. Decision should be taken after analysing all the evidences.

Option 2: Executive Director may ask for resignation from Mr. A. But reasonable opportunity of being heard should be given to Mr. A.

Correct course of action: A committee should be set to inquire about the complaint independently. Further steps should be taken to avoid similar situation in future.

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